



Province of Alberta

The 29th Legislature  
First Session

# Alberta Hansard

Tuesday evening, December 8, 2015

Day 30

The Honourable Robert E. Wanner, Speaker

**Legislative Assembly of Alberta**  
**The 29th Legislature**

First Session

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Feehan, Richard, Edmonton-Rutherford (ND), Deputy Chair of Committees

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## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, December 8, 2015

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders Committee of the Whole

[Ms Jabbour in the chair]

**The Chair:** I'd like to call the committee to order.

#### Bill 8 Public Education Collective Bargaining Act

**The Chair:** Are there any comments, questions, or amendments with respect to this bill? The hon. Minister of Education.

**Mr. Eggen:** Thank you, Madam Chair. I rise to speak this evening on Bill 8, the Public Education Collective Bargaining Act. Again, this will establish a fair and effective bargaining process, I believe, which will allow all parties to proceed in negotiating in good faith and keep close hands on the purse strings. It institutes a two-table structure, that allows local issues to remain local and provides a provincial bargaining table as well to address issues that affect teachers and school boards. I believe that this bill provides a stronger voice for school boards and a more formal role in all parts of the process and an opportunity to provide direct input into issues that affect all of them.

Since this bill was introduced, I've been working with school boards, education partner groups, and others, and certainly it's important to understand that this bill is all about how we bargain, not what we're bargaining on. Still, we know that boards have expressed concerns, and certainly I wanted to work with those as well. It's part of an organic, natural process by which we make strong legislation. It's my intention to move an amendment. I think that it goes a long way to address some of those concerns, and we certainly value all of the input that we've had. I believe that Bill 8 is a positive step forward, and I encourage all members in this House to vote in favour of it. You have to see the amendment, though, of course, first.

The model will allow school boards, government, and teachers to have input on which items should be bargained centrally and bargained locally. Of course, Madam Chair, we have to be mindful of cost, so that's why it's so pivotal to give government a role at the central table in bargaining with the teachers, okay? It's part of a realistic plan, I believe, to manage spending, and I want to assure all partners and reconfirm our commitment here that we will work together with school boards and the ATA and the general public to develop a fair negotiating system that develops regulations and policies that Bill 8 enables. We want to continue to do our best and put Alberta students and their families at the forefront.

So, Madam Chair, in the spirit of that, I have an amendment that I would like to distribute, please, and I have the appropriate number of copies here for you with the original on the top. Do you want me wait for distribution?

**The Chair:** Until at least I get the amendment.

**Mr. Eggen:** Okay.

**The Chair:** This will be known as amendment A1.  
Go ahead, hon. minister.

**Mr. Eggen:** Okay. Thanks, Madam Chair. The amendment is being distributed now. The amendment would strike out section 8 of the bill as tabled and amend the language in sections 1, 11, 12, 14, and 20 to reflect this removal. This move, Madam Chair, comes from direct feedback provided by school boards after the bill was introduced. I had held three consultations with school boards to gather feedback, and I definitely saw that there was consensus to remove this section.

If people would be so kind as to approve this tonight, I will accelerate the establishment of the teachers' employer bargaining association so that it is able to negotiate with the Alberta Teachers' Association on which matters will be bargained centrally and which will be bargained locally. The original version of this bill proposed that government would negotiate with the ATA on these matters, and I was doing that to have haste and speed. It was a matter of speed, but we found that we could in fact gather together the TEBA and the necessary components so that we could do it as I'm describing here in this amendment.

Since gathering feedback, my ministry has worked with Alberta Education officials on a process that would allow the acceleration of TEBA. The TEBA, of course, is made up of school board and government representatives. I want to make this abundantly clear, that school boards will have their say on which matters will go to central and which will go to local tables. We heard the school boards loud and clear, and we're continuing to listen, and we will be convening further conversations in the new year around this process. Indeed, Madam Chair, I'm sure we'll spend a great deal of time together after this new year.

Still, it should be also stated that the government as the funder of education will be at the bargaining table with teachers as well. This is a historic change, and I think it's very, very, very important. This will put us in a much better position to meet our fiscal obligations and bargain in a manner that is fair, stable, and responsible.

I also want to make a change that will clarify the bridging provision in section 14. This is a technical change, and it does not represent any shift in policy. The change is being done to clarify how bridging, which is a process that occurs during the collective bargaining process, occurs in a two-table bargaining structure. Section 14 of this act clarifies that the existing collective agreement is in effect until a new collective agreement is concluded; in other words, it is bridged because either the teachers' employer bargaining association or the ATA have given the other a notice to commence bargaining for central terms. This amendment is necessary because of sections 73 to 75 of the Labour Relations Code, which provide that a strike or lockout may only occur when "no collective agreement is in force, other than as a result of section 130." So these collective agreements will be in force not as a result of section 130 of the Labour Relations Code but as a result of section 14 of the Public Education Collective Bargaining Act, should it be passed by this Assembly. I would ask for support from the House on this change as well.

Madam Chair, let me close by stating once more that our government is very aware of the valuable role that teachers play in shaping the lives of Albertans. By working collaboratively, we can keep our focus on what matters most – that is, to provide our students with a world-class education, that they deserve, and one that they have enjoyed here in this province for a long time and will continue to do so in the future – and we can have an agreement that is affordable and sets a proper precedent for fiscal responsibility.

Thank you very much.

**The Chair:** Any comments regarding this amendment? The hon. Member for Calgary-Elbow.

**Mr. Clark:** Thank you, Madam Chair, and thank you to the minister for bringing this forward. It certainly addresses a lot of the comments and feedback that I've heard from school boards from around the province, so I do commend you for both engaging with them in the consultation as well as hearing what they had to say.

You know, in any matter dealing with education, my number one question and concern is always: is it good for students? So as we get into the bargaining process, that's always got to be top of mind. School boards, of course, have a big role to play in determining classroom conditions, so it will be very interesting to see how that process plays itself out in terms of what the two-table bargaining looks like.

I have a couple of questions for the minister. I'd be very interested to know what exactly falls in which table and how that will be communicated to Albertans: to this House and through us to Albertans, or just directly from your office. I'm interested in that.

The Alberta School Boards Association uses what they call a 60 per cent supermajority. Any policy resolution must pass by a vote of 60 per cent of the board members present representing at least 60 per cent of the students in Alberta. It doesn't say so in the bill, but I'm curious if that's something that you would anticipate TEBA adopting as well.

7:40

**Mr. Eggen:** Thank you, Member, for the questions. Madam Chair, in regard to communicating the composition of our deliberations, I believe it will be an ongoing process. We will be entering the negotiation, using TEBA and with the other side of the table being the Alberta Teachers' Association, as a full negotiation, as you would be negotiating a contract with provisions for arbitration as well. You know, as they come to those points of agreement – right? – that are mutually agreed upon on a legal basis, then we will communicate those. It all has to happen in an accelerated sort of way. Because, of course, I'm making this amendment change, we're pushing ahead some of the other timelines for the commencement of collective bargaining. I should expect that it should be fairly early in the new year.

Part of the legislation is that it creates an assembly council of the 61 school boards, that will vote and choose their representatives. How that is deliberated on I will get to you, how that voting process will go. I think that they will use probably a system that they have used. I'm not sure. I think that they might use a two-thirds majority in ASBA. That seems to ring a bell, but certainly I will check on that for you.

Thank you.

**The Chair:** The hon. Member for Calgary-North West.

**Ms Jansen:** Thank you, Madam Chair. I would concur with my colleague from Calgary-Elbow. Certainly, I've been getting a lot of feedback and a lot of concerns from some folks who really were concerned about: how do we clarify the process of negotiations? I think that the concern that I heard from a lot of stakeholders was, you know: what is the role that the ATA plays in future negotiations both at the local level and at the central level? We felt that this should be established in the legislation, so the idea that TEBA is there right from the start is, I think, going to be comforting to a lot of the folks who have been contacting me.

You know, we believe that the teaching profession in Alberta is unique in that the ATA is an advocacy group. The union is the same group that's ultimately responsible for regulating the teaching profession. Most other professions have a role split between two different organizations. Certainly, some of the folks we talked to said that they believe that the ATA's focus and role during these

negotiations should be as an advocate for teachers both at the central and local negotiation level. We do believe that the actual piece around dealing with the professional regulation of the teaching profession should be the purview of the government. We're certainly as well looking forward to see what lands at which table because that certainly is still a concern for my stakeholders, but this amendment, actually, I think, they will be pleased with, so thank you for that.

**Mr. Eggen:** Madam Chair, I appreciate the member's comments. You know, ultimately, we're trying to make something that is going to not just kind of preserve our education system but strengthen it. I think this is something that the idea's time has come. I won't say that it's overdue because that always has that negative implication to it. Rather, we found that the time is right to do this. Let's put it that way. It's a great way for us to make sure that we're watching the public dollar as well very carefully. We always have to do that but now more than ever. This is the first set of public servants that are coming up for contract, so the stakes are even higher.

Your comments on – it's interesting because when we deal with the ATA, it is quite unique because it is their regulatory body as well. That's a conversation for another day. Over time, I think, if we look across the country, we've enjoyed a fairly stable landscape for teacher-government relations, and this, I think, will help to strengthen that.

**The Chair:** The hon. Member for Calgary-Elbow.

**Mr. Clark:** Thank you, Madam Chair. I just wanted to come back to that point of exactly how TEBA establishes itself. I understand that there would be one representative selected from each school board and that TEBA will decide, but based on my reading of section 16, establishing TEBA, it appears that it is up to TEBA to determine how it will govern itself. I'd like the minister just to correct me if I'm wrong about that and just perhaps provide a little insight from the minister's perspective about his ability or perhaps even desire to control the terms of reference for TEBA as it establishes that for itself.

Again, my understanding of ASBA is that how it governs itself is a 60-60 supermajority. A vote must be 60 per cent of the voting members present, assuming a quorum, obviously, and those 60 per cent of members must also represent 60 per cent of students in Alberta, so it's not a simple two-thirds majority. What I'm really driving at, so I can be as clear as I can, is that we have a small number of large boards, which your colleague to your left, I'm sure, understands intimately, that represent, if not the majority of students, probably the majority of students. Four large urban boards represent – I don't know the numbers – a majority of the students of Alberta. That's four votes. You could have a 57 to 4 kind of scenario. I don't think that's going to be the case, but I guess I'd appreciate the minister's comments and thoughts on how those sorts of issues may be addressed in TEBA. Have you given some consideration to that and just any comments on that particular dynamic?

**Mr. Eggen:** Yeah. Thank you, Madam Chair. Yes, of course, I have, and this representative assembly needs to determine that together with myself. We'll look for a collaborative way by which that can be determined. You know, we're going to start those conversations straightaway. I mean, we want to be in the spirit of how I've tried to compose this so far. The co-operation that I've seen, the level of engagement – let's put it that way – would suggest that we will come to an amicable result for that conversation, yeah.

Thank you.

**The Chair:** The hon. Member for Drayton Valley-Devon.

**Mr. Smith:** Thank you, ma'am. I guess I rise to speak to the amendment on Bill 8. I want to thank the minister for his hard work on this. I believe that as a caucus we have qualified support or, I guess I would suggest, on the amendment support with some concerns. What I would like to be able to do is just give some background to how we're thinking with regard to this amendment and then build into some of the concerns that we may have for the minister.

I think we all realize here that the history of collective bargaining has been one that's been local, and it's been one that the school boards and ASBA and PSBAA and many of the major stakeholders have obviously supported for a great deal of time over the years. I guess I would suggest that this new model of bargaining is a significant departure from what we have done in the past. Each school board would enter into bargaining with their local ATA, and they would come up with a locally bargained agreement. I can see and I think we appreciate that this new model, this two-tiered model of bargaining, has tried to find a balance, I would argue, between local bargaining and the desire for a little more control provincially.

We know that under the old bargaining model each school division could have a unique agreement, that was unique to their school board, to their school division, and they could have unique agreements with regard to wages, with regard to benefits, with regard to local issues, days that they would be teaching, all sorts of local issues that would surround the local bargaining process. You know, that, obviously, was changed significantly by the Klein era, when they took away the municipal property tax rates. In order to pay for the negotiated settlements, it became a difficult thing to fund the other costs with regard to education.

7:50

Of course, one of the problems they dealt with back then – the reasons that Premier Klein decided to intervene were, as we've said before, two major reasons. One was that there's an inequitable funding arrangement, where local levies, wealthier school boards would settle earlier and would be able to have a collective bargaining agreement that would be by some people considered maybe too generous and the poorer school divisions could find themselves in a bind. They had an inequity in the process, where they could not requisition the same level of property taxes and found themselves having to try to keep up with the wealthier school boards, creating an inequity in the funding and an inequity that was often difficult for them to overcome, probably rightfully so.

I think all of the school boards across this province agreed at that point in time that it was a good thing to try and find a way around that inequity. So the government, when it took away the right to requisition the property tax levy, pooled that money and then gave it back to the school boards in a per-student funding formula. Now, it's become a little more complex than that over the years, with special funding for special issues, but I think that all would come to an agreement and I believe even, you know, the hon. minister would agree that it was a more equitable distribution and that when we look at this amendment and this new bargaining formula, it too allows for that equitable distribution to continue and to be maintained.

Of course, the problem that the government had when they set their budgets was that often, by setting a budget and by deciding what the percentage of the increase was going to be for education in a budget, they were already setting the increase for the teachers and the local bargaining agents and the local school boards. So teachers' salaries had essentially already been decided, and it threw into question the whole bargaining process. How fair is it to the teachers, how fair is it to the school boards when the government sets that percentage and then they have to go through a process of

negotiations that really doesn't reflect real, fair, and honest negotiation? Sometimes that meant that if they did try to negotiate in good faith, the settlements could sometimes be greater than the funding which the government was providing. So, then, how do school boards deal with that if the government isn't going to step forward and fund above what they've set in their budget for that negotiated local settlement?

There were some problems, and I think the minister, with this bill and with this amendment, has understood that there were some problems there. We are happy, I guess – I'm not sure that "happy" is the word. But we're willing to consider this two-tiered negotiated model with the amendment that has come forward.

I guess we see that teachers and the ATA along with school boards often weren't particularly happy with the model that they've been stuck with over the last number of years. We know that the last several settlements over the number of probably – what? – 10 or 12 years have been the result of a central table, if you want to use it that way, where the provincial government has gone to the table and has negotiated with the ATA to find a sometimes mandated agreement with regard to the collective bargaining process and where local bargaining, some would argue, Madam Chair, has broken down.

When we take a look at this two-tiered model and we take a look at the amendments that have been made here tonight, we can see that this goes, at least in some ways, part of the way towards addressing some of the issues that happened as a result of the local bargaining model, with the breakdown in the bargaining process. It's because of that history that, I think, we as the Wildrose Party understand the desire of the minister to address this bargaining model and to bring forth perhaps, as he has, a new bargaining model.

I think it's important that as we look at this amendment, Madam Chair, we look at what Bill 8 actually does, and then we can understand and perhaps take a little bit of look at the amendments and some of the responses to the bill and the amendment. Bill 8 formalizes a province-wide, if I understand it correctly – and maybe the minister can correct me on this. If I have misunderstood this, it's not because I'm trying to. It's just because, you know, sometimes – we're looking at this – it can be complicated. Bill 8 formalizes a province-wide, two-table bargaining model. We got that right. Okay. There will be a local and there will be a provincial table.

When we look at the provincial table, it addresses the broad issues that are common to all of the school divisions, at least in theory. When we take a look at teaching and at education across this province – I've often said that it really didn't matter where I taught in this province; kids are kids are kids. It didn't matter whether I was in my classroom in Drayton Valley or whether I was at McNally in Edmonton or whether I was at Western in Calgary. It didn't matter where I was. There's a pretty standard thing with being a teacher. You love kids, and you enjoy being with kids. When I look at the issues in education, I think the minister and this bill and the amendments, Madam Chair, do recognize that there are some broad issues.

Now, it does bring up a question, though, and maybe at some point in time the minister can address some of these questions. I've heard school boards talk about the fact that because issues tend to be so common from school board to school board to school board as much as they're all very diverse schools and school divisions – how much difference is there going to be on some of these? Most issues are common issues. How much room will that leave for the local table if most of the issues that are common across this province are shared by so many different school boards?

The intent of the provincial table is to not only address those concerns, those issues that are common to all school boards, but of course it's to ensure consistency across this province with respect to the big-picture issues, as the minister has talked about earlier, things like school fees. You know, you're working through a review process, I believe, Mr. Minister, and trying to look at: what are the commonalities across the school boards when it comes to school fees, and can we bring some decisions and some finality to that issue of school fees? I think that's the kind of thing that maybe you're going to be looking at with this process, and maybe you can comment on that at some point in time. So the intent of having a provincial table is to ensure consistency across the province with respect to some of these big-picture items.

I believe that I can actually talk as many times as I want to this, so maybe what I will do is that I'll stop right now, and maybe the minister can address that issue right there and then we can . . . [interjection] Well, with regard to this I'm asking you to talk about the big-picture items, the common items that will be dealt with at a provincial level, and whether or not that's going to leave any room for, you know, local bargaining on those kinds of issues. Then maybe we can resume our conversation.

Thanks.

**Mr. Eggen:** Well, thanks, Madam Chair, and those are very good questions and a very succinct assessment, I believe, of the history of bargaining here in the province in the last 30 years or so as well as a synopsis of what I'm trying to achieve. Certainly, in my technical briefing people said that you caught on very quickly and you certainly got the right idea straightaway, so that's great. Yeah. I mean, it's important for us, when we establish TEBA, to have everybody there to have those discussions, right? So it's very important for me not to predetermine those things as well because I don't want to give an undue influence.

8:00

You know, just brainstorming on local issues: that can be quite significant, really. Transportation jumps out straightaway – right? – because, of course, of the geographic differences that different boards have to deal with. I mean, you have school boards in this province that are the size of a small European country, you know, and put in hundreds of thousands of kilometres of busing every day, even.

Another one is substitute pay, which, again, is quite a geographic variation, I believe. For substitutes to be covering places like Oyen and so forth, it's, again, many, many kilometres of driving. I know that there are northern allowances in different areas or extra pay for certain districts where they go. I think some places supply housing or housing subsidies in various ways.

An interesting regional variation is around instructional days. We mandate the number of minutes for a school year, but people will again insert different days based on perhaps regional holidays or religious holidays and so forth. Professional development days, you know, come into play as well. But I really don't want to predetermine how those discussions go. I think the very sort of elegant way by which we've amended this bill allows for all of those discussions to take place amongst the people that it affects the most – right? – which is the school boards, the teachers, and then, of course, the funder, which is my department.

I guess that's the direction that I'm heading in, and I think we've created an organic circumstance by which to somehow jump over some of those historic problems that you described before, where we did have, previous to maybe Klein, maybe 17 or even 18 years ago, some local bargaining, but then you had the sort of interference or insertion of the funder, not in a systematic way but just in sort of

an incidental way, that sometimes got in the way of good, rational bargaining.

I mean, we know that we have excellent teachers in this province and an excellent school system. It's renowned around the world, but because of that lack of a systematic sort of approach to bargaining, sometimes our wages got out of control as well and exceeded the ability of the government to pay for those said wages. That's part of the reason that I'm trying to do this here today.

Thank you.

**The Chair:** Drayton Valley-Devon.

**Mr. Smith:** Thank you, Madam Chair. Thank you, Mr. Minister. You started to talk a little bit about that provincial table now and the salary side of things, so maybe we can spend a little bit of time sort of working our way into that and perhaps some of the concerns that we've got there. We know that the intent of the provincial table is to deal with salary. Bill 8 establishes this employer bargaining association, that you're calling the teachers' employer bargaining association, or TEBA. From what I understand, it's a statutory corporation.

**Mr. Eggen:** Yes.

**Mr. Smith:** Okay. That means that it's formed by the government for really just one purpose, and that's to engage in contract negotiations for the school boards whenever the term of a collective agreement is coming to an end. Correct? This is not something that's going to be meeting, you know, necessarily every year even. It could be the term of the collective agreement if we understand each other correctly. Correct?

**Mr. Eggen:** Absolutely.

**Mr. Smith:** Okay. Now, we know that membership in TEBA is mandatory for all school boards. If I understand things correctly, each school board will send a representative to an assembly that would then choose a directorate, that we would call TEBA. Is that correct?

**Mr. Eggen:** Yes, sir. Yes, that's correct.

**Mr. Smith:** I thought so. So Bill 8 isn't really prescriptive; it simply establishes this two-table bargaining system. It's the how of this. Correct?

**Mr. Eggen:** Yes.

**Mr. Smith:** It's how the process will work, but it does not establish the actual issues that will be negotiated at the table. That's going to be something that will be negotiated between the ATA and TEBA. They will decide what matters will be bargained at a central table while some issues or some matters will be bargained at the local table. The general criteria, that you've got in the bill here, to be used to decide which issue is central and which issue is local will consider the following: does the matter result in a reasonably significant expense? That's where this provincial table with the salaries would be a part of it, right?

Maybe you could explain for this side of the House and for this party a little bit about how you define "reasonably significant impact." How does that work out as you're going to be negotiating between the ATA and the government and TEBA?

**Mr. Eggen:** Yes. Thank you. The ATA and then the government and the school boards. TEBA is the government and the school boards now, right?

**Mr. Smith:** Yeah.

**Mr. Eggen:** I've been reflecting on this. Again, you know, we've created a place in which this can happen. I know that another concern or area of concern that boards brought up to me last week, when we were meeting, on three different occasions was that in section 10 of the bill there is an area that talks about what's significant or what's not significant and so forth. But the current language doesn't restrict the ATA and TEBA from agreeing on matters to remain local items if all parties are in agreement that a specific matter could be best handled locally, and, vice versa, the agreement or the discussion to determine what goes to that big table or the central table is worked out in the same manner, too.

I wouldn't presuppose what that central table would be discussing, but the obvious ones, I think, of course, are wages and other items that cost a great deal of money, right? But it doesn't preclude the other local tables from talking about some money issues as well. I mean, we use a granting system for things such as transportation and so forth. Because of the first amendment I made, creating that place for people to sort out the issues of the main table and the other table, I believe that solves all the other problems.

Thank you.

**The Chair:** Go ahead, hon. member, followed by the hon. Member for Calgary-North West.

**Mr. Smith:** Thank you, Madam Chair. We've established, then, that there's this TEBA and that TEBA is made up of both the government and the representatives of the school boards and that this TEBA and the ATA are going to meet. They're going to debate. Now, the amendment speaks to the fact that TEBA is going to include, unlike the original bill – the school boards are going to be a part of that negotiation from the very beginning, and that's what the first amendment does?

**Mr. Eggen:** Yeah.

**Mr. Smith:** Okay. So if the government and the ATA cannot agree on which matters will be discussed – in the original bill it says that it goes to an arbitration board if you cannot agree on what is a central matter versus what is a local matter and that if, again, either of the two parties have significant disagreements over the arbitrated settlement, they then would have access to the courts. Am I correct in understanding that?

**Mr. Eggen:** Well, arbitration will sort it out, yeah. I mean, they make the decision, and that's it. It is a court.

**Mr. Smith:** Okay. I want to just change the discussion here and just go into a little bit of a different track. We know that as we were making our way towards this bill and as we were making our way towards this amendment, one of the concerns that was expressed was the timeline, and perhaps with that shortened timeline for this there was maybe a little lack of consultation, Madam Chair. You know, we were looking at this with support but with some concerns. One of the concerns that we would have both for the bill as well as for the amendment would be that this government had significant time, six months, to put this legislation together and to work with stakeholders to ensure that it reflects a reasonable approach to bargaining.

**8:10**

But now, with less than a week to go in the session and maybe even considerably less since the government has decided to use a piece of legislation that will shorten things, we're maybe wondering if there has been adequate time for the boards to work with the

teachers or with their administrators to determine the impact of this legislation on their school district and on their classrooms and whether they've had the time to get the information back to their school boards and then eventually back to the government to ensure that the consultation process results in informed legislation.

Indeed, many of the boards that we've been in conversation with and many of the major stakeholders like the ASBA have expressed some concerns about the timeline that has been placed on, first, the bill and even this amendment process.

I'd like to quote a letter prepared by the Golden Hills school division, where they prepared an analysis of the bill, and they were very concerned.

We believe that it is unreasonable and disrespectful of locally elected school boards, for the Minister and the Government to rush to pass this legislation. A reasonable amount of time must be allowed for us to review it, and then to provide the opportunity for us to be engaged in meaningful consultation with the government on what we believe is best for our students.

One of the things I liked about the Golden Hills response to the timeline for both the bill and the amendment was the analysis that they put together. I want to just read a bit of this.

The legislation designates . . . the Government and the ATA as the negotiators for the first precedent setting list of "matters that are central matters and what matters are local matters for the purpose of collective bargaining" thus setting the precedent for all negotiations of agreements to follow. In the future it will be very difficult to move anything back to being a matter of local bargaining.

It gets tougher if not impossible to make a change, when the proscribed criteria the Act specifies . . . "a matter is a central matter if either . . .

- (a) the matter could result in a reasonably significant impact on expenditures for *one* or more employers; [or]
- (b) the matter involves issues common to most of the parties to the collective agreements that can be addressed in central bargaining more appropriately than in local bargaining."

**The Chair:** Hon. member, if I can just interrupt you for a moment, could we maybe keep this strictly to the amendment? That sounds like that's more directed to the bill in general.

**Mr. Smith:** As a matter of fact, Madam Chair, what I was going to suggest was that in here they say that if the hurdle is reasonably significant, it's hard to see how anything meaningful gets to be local.

Well, what I was going to point out was that, I think, actually, Minister, we can see, at least as part of the consultation, that this has been addressed by the amendment – correct? – and that there are some concerns which the school boards have brought forward but which the minister seems to have addressed at least to some degree, maybe not completely but to some degree, with this amendment. Okay? But there are other concerns, we believe, that have been brought to the minister that maybe haven't been brought up in this amendment and that maybe the minister should continue.

You know, if we take a look at St. Thomas Aquinas school division, they bring up a number of concerns, one of them being a continual erosion of the rights and responsibilities of school boards. In the absence of local autonomy, we may see rural education taking a hit as labour solutions that work in the city don't always fit in rural communities. Additionally, should a provincial model be initiated, it was our board's position during the preliminary consultations that the ASBA should be the body that represents our boards as [the] EBA.

I guess I'd ask the minister this question. Do you believe, Minister, that your amendment addresses this concern of St. Thomas Aquinas? Does this amendment address what they see as a continual erosion of rights and responsibilities of school boards?

Thank you, Madam Chair.

**The Chair:** Go ahead, hon. minister.

**Mr. Eggen:** Sure. Thank you for that. Yes, I'm aware of Golden Hills' concerns, and certainly I think that we are on the path to addressing them. When you establish those first decisions that the TEBA board will do, which includes school boards, about local bargaining and central bargaining, yes, it certainly will sort of plant the course in place, but because the school boards are there, I think it sets precedents for negotiating those changes over time as well. I think we've democratized it sufficiently. I mean, yes, the first time you do establish it, it's like putting, you know, flood controls around a river. It's less likely to flow in any other way after that, right? Certainly, by having the boards there to set those parameters in place, it will probably go a long way to goodwill in case there is a big change that requires something to move to the local table.

In regard to St. Thomas Aquinas, it's part of STAR Catholic, I think. Is it? Yeah. Again, it's a fair play descriptor about different local issues, but there are discrepancies between how much teachers are paid in different places. We're not going to be changing that, but we're standardizing the movement on the grid. However that might go, we don't know. I mean, ultimately, we're the funder, right? So if STAR Catholic, you know, says that they can't afford it – well, we're the ones that are distributing those funds. It's not like they're raising those funds anyway.

There is a lot of interesting history. You're working through lots of dynamics of change, of political dialogue over a long period of time. I mean, a lot of school boards are feeling like they haven't been empowered since they lost their power to tax, right? You're working through those historical things as well. What I've done from the beginning, and I think I've reflected it here again today – it wasn't easy, let me tell you, to get this done – is: judge us on our actions, not our words. Everybody likes to say, "Oh, I respect school boards," but if every time they're losing incrementally their power to make local decisions that they are elected to do, then that's no good, right? Here I think I've actually re-established at least that course by which they do have that level of power to make significant decisions for the jurisdictions to which they're responsible. I firmly believe that.

Thank you.

**The Chair:** The hon. Member for Calgary-North West.

**Ms Jansen:** Thank you, Madam Chair. I was only rising to refer to Standing Order 20(2), just with a reminder that we can get through this a little quicker if we stick to the argument on the amendment and deal with the main bill at an opportunity when we have time to speak to the main bill.

Thank you.

**The Chair:** Actually, first, I will recognize the hon. Member for Calgary-Shaw, followed by Edmonton-South West.

**Mr. Sucha:** Thank you, Madam Chair. I rise this evening in support of this amendment. I believe that school boards play a critical role in ensuring the stability and success of our educational system. I also know that they exist to represent their local communities first and foremost. It is quite common that matters that are important for public and Catholic school boards in my home city of Calgary can vary greatly compared to those in areas like Rocky View or

Edmonton as well. That is why I believe firmly that having school boards negotiate on the local level, if you will, certainly is of central importance here. They should also have the ability for input on these matters that are important for them, too. This amendment will solidify the role of school boards in determining what is bargained centrally and locally.

Last week, I had the opportunity to attend two consultations with school boards. These were attended by 59 of the 61 school boards in Alberta. I heard concerns about section 8 of the bill, which would have kept them out of the deliberations on the matters while the teachers' employer bargaining association is established. By expediting the establishment of TEBA, we are signalling to the boards that we respect their role and value their input as well. We will also continue to discuss with our partner organizations as we move forward to draft regulation after this bill has passed. This bill marks the start of a path forward towards a better bargaining process. It will also restore trust, that was eroded during legislated settlements and labour strife in the past.

**8:20**

I'm encouraged by this amendment. It shows that, yes, we are listening to our partners in education. I want to thank all the board members for their feedback and advice. The consultation meetings that I attended were very constructive, and I really, truly want to thank them for their feedback as well. We all care about the quality of public education that our children receive. It is of the utmost importance that we collectively do the right thing for them as well, too.

That is why I support this amendment and Bill 8 as a whole, and I encourage this House to do the same as well.

**The Chair:** Edmonton-South West.

**Mr. Dang:** Thank you, Madam Chair. I'm also going to be rising today in support of this amendment because I see in my own riding every day that we have school boards and we have students and we have schools that really do show how a strong education system is going to build a better Alberta. I also attended a consultation with boards last week on Bill 8. I heard their concerns as well on things like section 8. I've spoken with numerous trustees. I've spoken with numerous teachers.

I believe in what the minister has tabled in this amendment. I believe that what the minister has created is a very effective way to balance that need to recognize that there are multiple stakeholders at this table, that there are multiple stakeholders that need to be making decisions centrally and locally. It's critical that while these bargaining processes continue and these negotiations go on, we establish a stable system for our students and, as members opposite have mentioned, that we look and say: is this what is best for the students?

I think that this amendment strikes that balance so that all the stakeholders – the school boards, the teachers, and us as the funders in the government – can say: look, we're going to be able to decide what goes to each table in a fair way so that those local issues are going to be discussed and those central issues are going to be discussed, and everybody can agree on these so that we can get back to doing what we want to do, which is to provide a quality education program for our students.

Further to that, I think it's very important that we as the government are at the central table as the funder to bargain with the teachers and to bargain with the boards because it is really important that we can meet our fiscal obligations as a province and that we can work towards that balanced budget. With us being there as the funders, with this amendment, with those school boards, it is

going to create that structure and is going to create that ability for us to work with all these stakeholders to say: how are we going to get to that end goal? I believe that in the spirit of collaboration with school boards and teachers, this amendment is going to be a major move towards involving all of these parties.

We're not talking about discussing the "what" of what is going to be at each table but, I think, the how. This amendment solidifies the how, solidifies that everybody is important in that how. Moving that TEBA process up and expediting that system creates a strong system that will allow everyone to be happy and everybody to be involved at the level they necessitate.

I really do pledge my support for this amendment. I pledge my support for Bill 8, and I encourage all my colleagues, from both sides of the aisle, to support this amendment.

Thank you, Madam Chair.

**The Chair:** Further speakers to the amendment? Sherwood Park.

**Ms McKittrick:** Thank you, Madam Chair. I rise this evening in support of this amendment. As I said previously in the debate on Bill 8 when I offered my support for Bill 8, I believe it is imperative to respect the roles and responsibilities of school boards. They play such an important and key role in our education system. I meet regularly with the school boards in Sherwood Park and wanted to take the opportunity tonight to thank Justine Wright, the chair of the Elk Island Catholic board, and Trina Boymook, the chair of the Elk Island public board, for their really helpful feedback on this bill.

Like some of my fellow MLAs, I too attended some of the consultations with boards on Bill 8. I appreciated at those consultations the real thoughtful feedback from the boards and their willingness to make this bill work for them, especially for the benefit of the students in their schools. The message in those discussions was very clear. School boards want to be involved in the bargaining process immediately, and I agree that they should be.

I particularly appreciate the Minister of Education's introduction of this amendment. By removing a section of the legislation and accelerating the establishment of the teachers' employer bargaining association, known as TEBA, we are going to ensure that boards are involved right from the beginning.

I believe in a stable and effective bargaining process, and I'm fully behind Bill 8, which I think will improve on past struggles in this regard. It is critical that all parties be involved in the bargaining process and that all come away from the process feeling like their voices have been heard.

I support the amendment, and I will be supporting Bill 8 as a whole. Thank you.

**The Chair:** Any further speakers to amendment A1?

Seeing none, we'll call the vote.

[Motion on amendment A1 carried]

**The Chair:** We're back on the bill. Are there any questions, comments, or amendments with respect to this bill? The hon. Member for Calgary-North West.

**Ms Jansen:** Thank you, Madam Chair. We did want to recognize, of course, as we knew in the past with our government, that there were issues with the current methods of handling collective negotiations with our teachers. Our former government was actually working on a policy that addressed these issues, and it's similar to what we are talking about here today. The major difference is that we believe that what's debated at each table needs to be financially owned by the table that makes the decisions. What we heard in our consultations – and we talked to a lot of boards, as

our colleagues did, and I know that you and your colleagues did as well – was that there was significant concern about the vagueness of who is responsible for addressing the ultimate cost of the negotiations. I know that we've touched on that at various points.

There were concerns about the vagueness in this legislation, which commits to negotiating what will be negotiated in the future. Their concerns were about what the legislation means for school boards, for teachers, for future negotiations. Numerous school boards and associations did ask for time to review the legislation, and they had some suggestions for changes that they believed would enhance the legislation.

They were also concerned about how the legislation would affect the school board's ability to cope with a growing population and the potential for the government to put regulations in place that would be expensive, with those costs being downgraded onto local school boards. I see you nodding, Minister of Education, so you've clearly heard that feedback as well.

At this point I would like to introduce an amendment that clearly specifies that when the two tables deal with different items, no one other table should be responsible for covering the costs of a negotiation that they weren't part of. I know that my colleague in the Wildrose had touched on the idea that there were some school boards that saw the price was pretty high on some of the things, and maybe they didn't have that money in some of the boards whereas they did in some of the other boards.

I've got an amendment. Right now I'm going to allow a moment for it to be distributed, and then I'll keep on with my points.

Thank you.

**The Chair:** This is the original, right?

**Ms Jansen:** The original is on its way.

**The Chair:** Perfect. Thank you.

**8:30**

**Ms Jansen:** Thank you, Madam Chair. This specifically deals with 12.1. I move that Bill 8, Public Education Collective Bargaining Act, be amended by adding the following after section 12:

Central terms requiring an increase in funding

12.1 If the central terms to which TEBA purports to agree will require an increase in expenditure by one or more employers, TEBA shall, prior to agreeing to the central terms, take steps to obtain assurances that the necessary increases in funding will be made available to those employers for the years to which the collective agreement relates.

This amendment to the legislation is really meant to clarify the process of negotiations that are right now broadly outlined in the legislation. It reflects the concerns, as I said, from stakeholders and constituents and provides what we think is a solid solution. It simply clarifies that each bargaining table will be responsible for funding the agreements to cover any increase in expenditures. It really makes sure that the funding is in place before anyone enters into a final agreement from a central-level negotiation.

This legislation fundamentally transforms the role of school boards – we know that – and the relationship they have with the government and the ATA. The amendment makes sure that they don't have to worry about funding commitments made during other parties' negotiations. It allows for more open negotiations and a better, more stable final agreement.

It also encourages all levels of government to make sure that they're making the agreements that benefit the provincial government, the local school boards, the teachers, the parents, and it means that multiyear deals, I think, will be a little bit easier to reach.

The amendment doesn't constrain the government's or TEBA's or school boards' ability to act during negotiations anyway and provides a little bit of peace of mind, certainly to the parents I spoke with, who were a little concerned about agreements being negotiated at one table that perhaps, you know, a board may be constrained to provide the funds for.

With that, I'll allow for comments now. Thank you.

**The Chair:** The hon. minister.

**Mr. Eggen:** Thank you, Madam Chair. Thank you very much for the amendment. I think this is a clever analysis of what can happen. Always when you're building these things, you have to think of different scenarios and which direction things can possibly go. Sometimes south: they can go in that direction, too.

You know, let's remind ourselves that the government is the funder, and we fund both tables based on enrolment and based on our capacity to do so. As we determine what is being negotiated at the central table and the local table, so too will we apportion the funding that would be appropriate for those two responsibilities. It precludes the capacity for any local table to exceed the funding that they have available to them. They can't promise things at their local table that they don't have money for, basically. I feel comfortable that based on the funding formula that we use, we should be okay.

Respectfully and with an appreciation of the insight that this amendment does reflect, I don't think we need it.

Thank you.

**The Chair:** The hon. leader of the third party.

**Mr. McIver:** Well, thank you, and I thank my colleague for bringing this forward. I think it's, obviously, a fiscally responsible amendment to make. I would say, Madam Chair, that if the members of the House were to look at the amendment and remove the words "TEBA" and "employers" and insert any other two names – husband and wife, Martha and Henry, Dick and Jane, mom and dad – then what it says is that if one takes the other one's credit card and buys something, then they have to pay them back for what they spent, or don't spend it. Although it's a little more sophisticated when you include "employers" and "TEBA," the principle remains the same. It says that you don't spend it unless you can afford to pay for it.

I don't know how I could possibly vote against something as common sense and responsible as that, and I hope the other members of the House can see just how basically reasonable this is. I hope that members of the House will agree to support it.

Thanks.

**The Chair:** Any further speakers to the amendment? The hon. Member for Calgary-Elbow.

**Mr. Clark:** Thank you, Madam Chair. You know, I guess I would like to hear from the minister on what his hesitation is. If he feels that the legislation already encompasses these important points, I guess I would ask: what is the hesitation in including it? My British wife has a term: belt and braces. Why not have both? I wonder in this case what the downside might be in accepting an amendment such as this, which just ensures that what has been told to us by the minister is to be the intent is in fact codified in the act itself. I do think that is important. It's an important principle that we're talking about here as well.

I certainly support it and would just be curious if the minister could be persuaded, perhaps, to change his mind.

**Mr. Eggen:** Yeah. I mean, certainly, it's important, to just revert to the first principles here, that Bill 8 as amended is the how we build the structure, and then the what, that we do negotiate on, will take place over these next few months, with the structure in place. I just don't want to presume any of the what in this bill because the spirit of bringing the school boards and the funder, which is the government, and the teachers into place to sort that out is the purity of the bill, that I want to remain intact.

Certainly, as I said before, as a general principle we fund enrolment, and as a general principle we fund, you know, each of the tables in accordance with our responsibilities to students and in accordance with our capacity to pay, too. Then based on those two things – I mean, again, respectfully, I certainly understand the member's intention here, but I would choose to not vote for it. People can choose how they like.

**The Chair:** I'll hear from the hon. Member for Lacombe-Ponoka first, followed by Vermilion-Lloydminster.

**Mr. Orr:** Thank you, Madam Chair. I'll be brief. The largest school board in my riding, Wolf Creek, has not yet actually had opportunity to formally meet and form an official position, but the board chair has expressed, essentially, that they're in favour of government being at the table. Her concern with regard to the amendment would be that the school board would not be sort of saddled with the costs of all of this going forward. Obviously, there are concerns amongst the school boards about how the cost sharing takes place. I think it's an important consideration, and I'll just leave it at that.

Thank you.

**Dr. Starke:** Madam Chair, I'd just like to sort of follow up on some of the points that were made by the hon. members for Calgary-North West, Calgary-Elbow, Calgary-Hays, and as well now by the Member for Lacombe-Ponoka. This is a redefinition of the negotiation process for what is, you know, truly a critical negotiation, that, of course, being with the teachers of our province, that are charged with education of our students. It is one that is being slightly redefined although the idea of a two-table negotiation is not entirely unfamiliar. Accordingly, the school boards that I've spoken with, the various trustees and the boards, have expressed to me just a certain hesitation because this is somewhat of a new relationship. All this amendment tries to do is to provide those boards with some level of assurance so that they know that any additional costs that are negotiated at the central table, that will fall to them as the employers, will indeed be covered by the funding agent.

Now, the minister is quite correct. The minister is quite correct that the government is the funder and that the government will be responsible for it, but I think that, especially when we are embarking on somewhat uncharted territory and when there is a new negotiating relationship being put together, it is prudent for all the possible mechanisms to be put in place so that there is comfort. You know, just as an example, I do know that the notion of a comfort letter was an important aspect of what the ATA wished to have in past negotiations. This is not a comfort letter. This amendment is merely a clause that assures the school boards, who still have a certain degree of trepidation about this whole process, that the minister – and I have no doubt whatsoever that he will be true to his word. But this gives them comfort in that they know that within the scope of the legislation, this amendment gives the assurance that any funding that is required by a negotiation made at

the central table will also flow to the necessary employers that are affected by it.

**8:40**

I think this is an amendment that does not take away in any way from the legislation. I don't think it weakens the legislation. In fact, you know, I rather like the analogy used by the Member for Calgary-Elbow; that is, that it just provides some additional security for school boards, that are entering into this new relationship.

I would certainly encourage the minister to reconsider his stance on this. I don't believe that this is an amendment that in any way detracts from the intent of the bill or detracts from the negotiation process. I think that, in fact, it strengthens the level of assurance for all parties involved.

**The Chair:** The hon. Minister of Health.

**Ms Hoffman:** Thank you very much, Madam Chair and for the interesting debate around this amendment as proposed. I think that if I am to reflect on where I was a year ago, the thing that I really like about TEBA is that TEBA actually has the employer and the funder at the table. Of course, these are discussions that school boards as the employer and as partners at the table would be having with the funder. That's why they're both to be at the table as opposed to past negotiation cycles, where sometimes it was just boards and employees or just the funder and employees but not actually having both the board and the funder working in partnership.

I think that in terms of items that'll be negotiated at TEBA, that's to be discussed in consultation with the employers themselves. They'll actually be at the table, and if any monetary items were to come up, they absolutely have the right to raise those questions at the table through the processes that they'll be outlining through the what piece. And, of course, the funder is at the table to guarantee the how.

While I appreciate the intent of this, being similar to what we as employers as well asked for around a comfort letter, I'd say that being at the table is far more comforting than actually having to trust that something is going to happen and that your considerations will be taken after the fact. I think TEBA itself is the dialogue where the conversation happens and the assurances can be laid. I think that if things are negotiated at TEBA, obviously, with the funder at the table, the funder is going to be working to ensure that monetary implications will be addressed.

There might be monetary implications at some of the local table discussions, and I certainly don't think that we would want to put a requirement that those come back to the funder for sign-off on every ad hoc basis. I think this really creates a structure through the original motion where we have the right people at the table to discuss the significant monetary pieces that I think the intention of the motion refers to in a fluid way so that that can be established prior to the agreement being reached.

I would be inclined at this point to vote in opposition to the amendment. However, I want to honour that in times past something like this may have been helpful, under the former process, but I don't think it is necessary moving forward in what's being defined under TEBA.

Thank you.

**The Chair:** Any further comments to amendment A2? The hon. Member for Barrhead-Morinville-Westlock.

**Mr. van Dijken:** Thank you, Madam Chair. I rise in favour of the amendment as presented by the Member for Calgary-North West. I think it's a very reasonable amendment that provides some clarity to the school boards, that are presenting some concerns with some

of the lack of consultation that has come forward previously. Now this can give them a level of comfort that what does happen at TEBA will not inhibit their ability to actually do the things that they need to do.

I would encourage everyone to be in favour of this amendment.

**The Chair:** Any further comments to the amendment?

Seeing none, I'll call the question.

[Motion on amendment A2 lost]

**The Chair:** We're back on the bill. Are there any further comments? Go ahead, hon. Member for Calgary-Elbow.

**Mr. Clark:** Thank you very much, Madam Chair. Perhaps I will just hand out the amendment. I'd like to present an amendment to the bill addressing section 16(5). I will allow this to make its rounds. It's a simple one. I propose to strike out section 16(5). I will hand those to you now, and I will just pause for a moment while those amendments are handed out.

**The Chair:** Go ahead, hon. member.

**Mr. Clark:** Thank you very much, Madam Chair. Subsection 16(5) reads as follows: "The Financial Administration Act, the Alberta Public Agencies Governance Act, the Fiscal Planning and Transparency Act and the Auditor General Act do not apply to TEBA." I imagine that those of us in this House – I would hope that you all love governance as much as I do.

**Some Hon. Members:** Oh, yeah.

**Mr. Clark:** Oh, could we all agree? Could we all agree that we love governance . . .

**An Hon. Member:** Process.

**Mr. Clark:** . . . and we love process, we love oversight, and if we don't, well, I wonder what the heck we're all doing here. These four acts do precisely that. They provide governance, they provide oversight to bodies such as TEBA. I'm just going to take you very briefly through the provisions of each of those acts.

The Financial Administration Act governs how TEBA can operate. It cannot end operations without government control. It governs how provincial or Crown corporations can be dissolved, liquidated, wound up, et cetera. It places controls over spending in terms of debt provisions. It allows the government to regulate any fees that TEBA may charge. It may not be relevant, particularly in this case, but it allows a regular review of the business of TEBA.

The Alberta Public Agencies Governance Act provides for details of a specific governance framework and what is required of that governance framework; for example, "within 3 months of its establishment or continuation, have a Mandate and Roles Document that is jointly developed by the public agency and its responsible Minister." That includes a description of a long list of important things, which I know the minister has already discussed, his intention to have something along these lines from TEBA. Most importantly, that mandate and rules document must be made available to the public, which provides transparency and accountability.

This next one is, I think, perhaps my favourite amongst equals, but this is my favourite. It exempts the TEBA from the Fiscal Planning and Transparency Act. Those of you who have been following along in the last number of weeks will recall that the Fiscal Planning and Transparency Act up until yesterday was known as Bill 4. We passed Bill 4 yesterday, over some objection

from this side. We passed Bill 4, and that does things like placing spending controls on TEBA. There's been a lot of talk in this House about the wonderful aspects of that particular act. It also includes reporting requirements.

The Auditor General Act, of course, allows TEBA to be audited by the Auditor General or a proxy and provides audit reports on TEBA to government and, through government, to the people of Alberta.

I feel very strongly that this level of governance is absolutely appropriate for a public body like TEBA, that has an important role to play. I would be curious for the minister's thoughts on why TEBA, amongst all government agencies, somewhat uniquely should be excluded from these provisions and this governance oversight.

**The Chair:** Any further speakers to amendment A3? The hon. minister.

**Mr. Eggen:** Yes. Thank you, Madam Chair. This came up under my scrutiny and, I believe, the Official Opposition Education critic's as well. We asked about this. I believe that it was, number one, that this is a representative assembly – that is, of school boards – so the structure of the TEBA doesn't align with the ABCs under this legislation. It's a negotiating body as well, so our legal staff had advised that this was a structure that doesn't use these other acts. Yes, it caught my eye straightaway, too, but because it is an assembly of school boards and, as such, a statutory corporation of a special nature, that is only designed for negotiating, that's why they put this in there. I've been told that it needs to be there. I appreciate the sharp eye of the Member for Calgary-Elbow to see that, but it wasn't like we're trying to skirt around the law in any way, shape, or form.

Thank you.

8:50

**The Chair:** Any further speakers to amendment A3? The hon. Member for Drayton Valley-Devon.

**Mr. Smith:** Thank you, and thank you to the hon. member for bringing this forward. I know that on this side of the House and in this party we also took a look at that, and we had some questions about it, as the minister has alluded to. In our conversations with Parliamentary Counsel they seem to believe that this was a reasonable part of the bill. We had some concerns. We wondered if maybe the Auditor General, more specifically, should be overseeing and have oversight over TEBA, and the Parliamentary Counsel came back to us, saying, "Well, you know, I suppose you could probably do it." But she believed that it was not necessarily something that would be a huge amount of value, adding it to the bill. I don't think it probably would hurt, but it was her opinion that that's what would have happened.

**The Chair:** Any further speakers to amendment A3?

If not, we'll call the vote.

[Motion on amendment A3 lost]

**The Chair:** Back on the bill. Are there any further questions, comments, or amendments with respect to this bill?

Seeing none, I'll call the question on Bill 4. I'm sorry. Bill 8. I'm still in last-night zone. What can I say?

**Mr. Smith:** Can I rise and speak to the bill?

**The Chair:** Yes, if you still want to speak to Bill 8. We're back on the bill.

**Mr. Smith:** Back on the bill. Thank you, Madam Chair. I guess I really just have one question, and it's to deal with perhaps the flexibility that goes along with the bargaining process when it comes to salaries and to that provincial table, okay? You know, under local bargaining each school board had the authority to bargain locally and to negotiate salaries and benefits and a wide range of local issues like early retirement and teacher retention and incentives. All of those things were at the table locally, weren't they? In Bill 8 we know that teachers' salaries would probably, in all likelihood, be negotiated at the central table, but there's no indication as to how exactly that would work.

I guess this is my question. Maybe it's just my overactive imagination, but here's the question I've got for the minister. Once a wage or a percentage is agreed to in the central bargaining process, will there be room for local school boards then to negotiate with their local ATA over how those funds would be disbursed within the local collective agreement? For instance, will the local school boards be able to decide that one grid increment might only receive a 1 per cent increase while a fourth-year teacher on the grid might receive a 2 per cent increase as a retention bonus? Do you understand the question that I'm asking?

In the past couple of negotiated agreements, you know, there was a percentage agreed to, and it was just applied to everybody across the board, so if the teachers got a 2 per cent increase, they got a 2 per cent increase. I guess what I'm asking here is that if you bargained a 2 per cent increase or a 4 per cent increase, would you then be able to go back in local negotiations and say, "Well, we're going to give first-, second-, and third-year teachers 1 per cent, but we'll give 3 and 4 per cent to fourth- and fifth-year teachers"? Would you be able to work out locally bargained percentages, depending on the increment grid, and see if there's more local bargaining that way?

Thank you.

**The Chair:** The hon. minister.

**Mr. Eggen:** Yes. Thank you so much for the question. Madam Chair, I mean, I can speculate on this, but I think that structurally everyone should know that these are part of the questions, what the TEBA group and the teachers will negotiate. This is the structure or the superstructure, so to speak, of how. For the purposes of, you know, today, if we can just certainly understand that we've created a representative body that includes the funder and includes the school boards, and then on the other side of the table are teachers. They will determine, through this how-system that we've built here together, really, collectively, how that will be employed to answer questions such as what the hon. member is asking here this evening.

You know, while change is often not easy and certainly we want to make sure that we are dealing with this in a democratic and a forthright manner, I believe that the progress that we've made over the six months since I started working on this has been considerable. I think it'll pay dividends for us to be able to negotiate within the parameters of what we can afford as a government and within the parameters of due process for fair bargaining for the excellent work that our teachers do here in the province of Alberta.

I certainly thank everyone for their contributions. You know, I found it to be an excellent learning process. We've just begun. All of those parties that we've started to work with we will spend a great deal of time with over the next few months to ensure that we come up with an equitable, affordable agreement that allows our school system to continue along the excellent path that it has done so over these past decades.

Thank you.

**The Chair:** You had further comments, hon. Member for Barrhead-Morinville-Westlock.

**Mr. van Dijken:** Yes, please, if I may. Thank you, Madam Chair. I'd just like to speak in regard to Bill 8 and some of the concerns that a couple of my school boards have brought forward to me. I have four in my constituency. With the changes that the government has put forward with the amendment, I will support this bill, but I also have to be diligent in bringing the concerns of the school boards that I'm working with to the attention of the minister. The thing that was most concerning to the school boards was the lack of consultation, that they felt was done before the legislation was presented here in the House.

I'll read from the letter I received from the Sturgeon school division. It's dated December 1.

Dear Mr. Piquette and Mr. Horne . . .

**The Chair:** Hon. member, even when reading something, we do not use members' names, please.

**Mr. van Dijken:** Okay. I'm sorry. I'll retract that, then. Thank you.

To you, as MLAs for (part of) our school division area, and members of the government caucus, the Board of Trustees of Sturgeon School Division hereby requests that you have our concerns with the precipitous passing of Bill 8 – The Public Education Collective Bargaining Act – heard and responded to by our provincial government. We understand that this Act is about to go through third reading in the House and we strongly oppose this non-consultative approach to such an important piece of legislation. Please use all your voice and influence in government to have this reading postponed until there can be meaningful, informed consultation among school boards, Alberta Education and government.

Sturgeon School Division strongly endorses Local Bargaining as the only effective way for school boards to work with their teacher-employees to provide top quality cost-effective education to our students. However, if Local Bargaining is to be marginalized, as Bill 8 would have it, then it is necessary for us to more fully understand how this new bargaining model will impact education administration. This can only be accomplished by delaying the passage of this legislation until the governance and administrative processes can be satisfactorily clarified for the understanding of all concerned.

That's from the board chair, Tracy Nowak, of Sturgeon school division.

9:00

Then Pembina Hills regional division sent me a letter dated December 1. It's actually addressed to the Minister of Education. Some of the work that the minister has completed now with the school boards, Alberta school boards in particular, is not relevant in this letter.

On behalf of the Board of Trustees of Pembina Hills Public Schools I am writing to encourage you to allow time for school boards to provide input into Bill 8, the Public Education Collective Bargaining Act that passed first reading in the Alberta Legislature Thursday, November 26.

We understand that Bill 8 is scheduled to advance through the Legislature this week and could be passed into law by December 3rd, just one week after it was introduced. This does not provide Boards the chance to ask questions or provide feedback on the bill.

Of course, now they have had the opportunity to provide feedback, but these were some of the concerns previously.

Bill 8 is precedent-setting legislation that will affect school boards across the province. School boards were not provided with the opportunity to review this legislation prior to November 26.

As locally elected school boards representing our students and communities, boards need time to review the proposed legislation and provide recommendations on items needing clarification prior to it being passed into law. School Boards need an opportunity to meet with the Minister or Alberta Education staff to understand the proposed legislation and be able to ask questions about the process and engagement of boards.

Pembina Hills Public Schools respectfully requests that you do not pass Bill 8 before providing consultation with school boards on the components of the legislation and the role of boards in the decision making of negotiations. We will be in attendance at the Alberta School Boards Association meeting on December 4th and look forward to working together through the stages of the bargaining process.

With that, I also want to thank the minister for giving them the opportunity to consult at that time. I'm glad that we were able to continue on with our Legislature sitting in that it actually gave them the opportunity to provide that feedback before the bill was passed.

Like so many bills brought forth by the government, there have been many good intentions. Good intentions, however, do not necessarily make good legislation. I have received these letters from my local school boards outlining their concerns. I guess what I am trying to bring to light here, Madam Chair, is that we seem to have a pattern of behaviour here. I really want to encourage this government to proceed with thorough consultation previous to bills like this being presented here so that the stakeholders feel like their concerns have been heard and so they have a clearer understanding of what will be brought forward in this Legislature and so they can have a certain amount of comfort that what is being brought forward does not catch them off guard with regard to a full understanding of how it will affect them in the future.

Thank you for giving me the opportunity to speak.

**The Chair:** The hon. Member for Grande Prairie-Smoky.

**Mr. Loewen:** Thank you, Madam Chair. I guess I'll start by just kind of breezing through a little bit of a letter here from one of the school boards in my constituency.

Since the release of this important legislation last Thursday by Minister Eggen, school boards have not had the opportunity to review and discuss the implications. Plans to do so had been made for this Friday, December 4, in Edmonton.

Certainly, there seems to be a difference between the input school boards indicated they provided Alberta Education and the comments the Minister is making suggesting this bill reflects the input and wishes of school boards – a product of having missed a step in the Minister's consultation process where input could have been validated with school boards and related decisions explained.

Madam Chair, it seems we're standing here again talking about lack of consultation. While Minister Eggen did engage in stakeholder consultations in the fall, there was no feedback provided to school boards with respect to the direction this legislation was taking. This sounds very similar to Bill 6, of course, where some of the stakeholder groups had discussions with government but no indication of what direction the government was going until, of course, the bill was slapped down here in the Legislature. That's when they finally knew what was actually going on.

Another concern that the school boards have is the lack of response time. Most stakeholders say that the time between tabling and the projected passing of Bill 8 is too fast, that there is not enough time for meaningful input or debate before the government intends to pass it. Again, it's the same thing as Bill 6. Of course, they've come up with some amendments now. They've dropped them on our tables, and now we don't have time to go back to the

school boards in our constituencies to find out what they really think of this. I'm madly trying to text people to find out, you know, what their opinion is of this, but of course there's no way to do proper consultation when you do business this way. Obviously, this has become a pattern, this lack of consultation and, of course, amendments. Every time they bring something forward, it ends up that the amendments seem to be more important than the bill itself. I think it's very unfortunate, Madam Chair, that this government feels like this is how they should be doing business.

Now, I just want to have maybe a couple of questions answered or cleared up here. The boards are clear that the only issues that should be decided at the provincial table should be salary and the length of the agreement. All other things should have been negotiated at the local level, with a predetermined dollar percentage amount to put limits on the asks. I guess I'd like to ask the minister to confirm if that's true or not.

I'd also like to ask the minister: since you've brought this amendment in, have you had an opportunity to consult with all 61 of the school boards? If so, what specifically has been the support level for this bill with the amendments that you've put forward? When I say "specifically," I would like to know if the smaller, more rural school boards have any more concerns than other school boards? Could you clear that up, Minister?

**The Chair:** The hon. minister.

**Mr. Eggen:** Thank you, Madam Chair. Thank you for your questions and concerns. I mean, certainly, it's important that you interact with the people that the legislation does affect. Certainly, we have done so, not just in the six months up to this point but even in the last six days. I think that with many of the concerns that the hon. Member for Barrhead-Morinville-Westlock had brought forward, if he was to note what those amendments were and how they are, if he was listening to me now, for example, he would know that, in fact, we did address those things.

Also, to the Member for Grande Prairie-Smoky: certainly, again, the idea of making sure that the TEBA is including the school boards and the funder and the government is very important. I think this is the principle that will move a lot of these other concerns forward, right? The determination of what is being negotiated will be at that grouping. They'll determine if it will be wages and other things like you mentioned as well. Those are all things that will take place with the framework that we have.

**9:10**

You know, it's interesting that your school board, actually, is right in my media release here tonight. They say:

This amendment shows the Minister is actively listening to school boards.

God bless them.

Local matters may be unique in some communities, and this amendment acknowledges the importance of managing those locally.

Yeah, I worked hard to try to work with different individuals. That was the chair for one of your districts.

Other endorsements, including the ASBA, which is the overriding body, acknowledge that this is something they can work with as well. So I did work hard.

It's very important in politics not to overreach generalizations. If you do so, then you compromise the message that you're trying to get across. I mean, this is always a lesson that I try to refer back to in my mind when I'm doing this, when I used to be in opposition, and I would advise the members opposite to do the same.

Thank you.

**The Chair:** The hon. Member for Grande Prairie-Smoky.

**Mr. Loewen:** Yes. Minister, I appreciate that you have some information from one of the school boards in my area, but I actually have five in my constituency, so if you could maybe confirm which one you were quoting from there.

Also, I did ask the question: have you consulted with all 61 school divisions . . .

**Mr. Eggen:** Yes, I have.

**Mr. Loewen:** . . . and if so, what specifically is the support level for this bill with these amendments?

**Mr. Eggen:** VS, very strong. It's looking good.

**Mr. Loewen:** Sorry. I said specifically.

**Mr. Eggen:** Very strong. Yeah, it's good.

**The Chair:** Hon. members, while I've been allowing some of this back-and-forth dialogue, it's important to remember that for the purposes of the official record, *Hansard*, if we don't get the answer on record, sometimes it's problematic. If you're prepared to answer the question, hon. minister, we could get it on the record. Otherwise, we'll proceed.

**Mr. Eggen:** No.

**The Chair:** Any other members wishing to speak? Grande Prairie-Smoky.

**Mr. Loewen:** Yeah. I just want to make sure it's on the record that he's not willing to answer the question.

Thank you.

**The Chair:** Lac La Biche-St. Paul-Two Hills.

**Mr. Hanson:** Thank you very much, Madam Chair. I guess the most unfortunate part about this bill, Bill 8, is that we're still here talking about it at a quarter after 9 tonight. It's fairly obvious that with a little bit of consultation prior, this would be water under the bridge by now.

What I want to stand up and talk about is, basically, that I've got four school boards in my area: Lakeland Catholic, St. Paul educational region, East Central francophone, and Northern Lights school division. When I talked to them, they all kind of reiterated the same thing. It was like: we talked to them this fall, but we had no idea that this was coming through and that this was what it was going to be. I think a little bit of consultation prior to the bill going out would have probably eliminated the need for these amendments that have come forth. I think it's unfortunate, but maybe it's a lesson going forward, that we do need to negotiate a little bit more and keep people in the loop on exactly what's going on.

I did talk to at least one of my school boards tonight and ran over these amendments that came through. Unfortunately, they don't have a meeting until tomorrow. I said: well, unfortunately, the bill is going to be passed tonight. They were a little concerned about that still, that they weren't going to have a chance to sit down as a board and talk about it, because it's been one or two of them on a phone call and that kind of thing. That's the unfortunate part about it.

I hope that at the end of it they're all happy and that we don't cause some dissension among the school boards themselves. They are concerned still about what this TEBA board is going to look like and all that stuff. They still do have some concerns about that. I hope we get that right and make sure that we talk to all the school

boards involved and make sure you get their input on that. Hopefully, I don't get a whole bunch of phone calls asking about what I'm doing.

Thank you.

**The Chair:** The hon. minister.

**Mr. Eggen:** Thank you. I appreciate those comments. You know, it's quite valid as we work through. You know, this is the first bill that I've ever passed in the Legislature. I've been here for a decade. I haven't passed it yet. But part of what I've learned over the years when debating and being in opposition is that the constructive engagement that we can generate on the floor here is quite good. We talk about committees and so forth. We're in a committee right now. This is a committee. I mean, I just wanted to try to use that as part of how we built this. Of course, you can't give the bill out before. It has to come here first, okay? That's another thing.

**Ms Hoffman:** Legally.

**Mr. Eggen:** Yeah, legally. I mean, you can kind of, you know, give them a wink to give them some idea of where it's going.

That's the way I kind of tried to play it. If I can make adjustments the next time I do this, then I will do so. It's all in good faith. I mean, this is a good way, members of the Legislature, for us to move forward in a more equitable way and a more fiscally responsible way to make labour contracts with the teachers. It's a big moment. I think it'll take us maybe a few days and weeks to figure out just how we've accomplished something here if we choose to vote for it.

Thank you.

**The Chair:** Lac La Biche-St. Paul-Two Hills. Go ahead.

**Mr. Hanson:** If I could, Madam Chair. Just to clarify, this is Committee of the Whole. It's just a step in the process. This is not a committee. This is not what we want for Bill 6.

Thank you very much.

**The Chair:** Any other comments with respect to this bill? Fort McMurray-Wood Buffalo.

**Mr. Yao:** Thank you, Madam Chair. I greatly appreciate your time in this. I'm going to put a more positive spin on this. I just really, really want to thank this NDP government for listening to the Wildrose on this. I mean, thank God for the Wildrose. Thank goodness for the opposition. We have to remember that if the NDP had had their way, this bill would have been rammed through last week. We had to get a little bit of time for there to be some consultation.

Up in Fort McMurray, as an example, Madam Chair, the school boards came back to us when we asked them for some information on this, and they did come back with some concerns. They came back with the fact that there was a lack of consultation, and this was something that was really province-wide. We have no doubt that the good minister had conversations with the school boards, but they weren't quite clear what these conversations were leading to. They lacked a lot of information. They didn't have enough time to look at the information, which was the second part of that, the time constraint. They were very concerned that the information was getting rushed through rather quickly, and they didn't have time to evaluate it.

Again, with these bills that can affect so many things, there has to be a certain level of consultation. It's about discussions, about

asking the right questions. Whether you're a school board trustee or a social worker or a geologist, you have to ask those right questions.

The last part that they were really concerned about was a lack of proper representation with a centralized board, Madam Chair. The school boards were concerned that they might be isolated from a lot of these talks. In Fort McMurray, as an example, we have some different parameters that we work around up there. They were concerned that they'd be overwhelmed by the larger school boards here in the cities. Fortunately, the good minister was good enough to recognize this and address this with the two levels of school boards, board representation, and it is a really great thing that they were finally listening to us. Even though they, you know, just finished their consultation this afternoon and spent the whole weekend, I'm sure, and the week discussing these things, it was only at our behest, and we really appreciate your listening to us. I'm so glad for this.

9:20

The two school boards have expressed their concerns about a lot of these issues, but they're a little bit happier. Again, a lot of the school boards have come back and said: you know, some more time would have been nice. At least they have more information now. There obviously were some heavy work sessions over these last few days. I'm sure that our good Minister of Education was working very hard to try to get a lot of clarity and to write that law, and we really appreciate that. That helps a little bit. So when you take the lessons from this bill and you try to carry those through your next bills, recognize that consultation is really an important issue when we're coming up with these laws because once these laws are built – someone else used the analogy about concrete. You can manipulate that concrete when it's still wet, but once it's cast in stone, once that bill is passed, it's very hard to change it. We have to chip away at it, and it's a much longer process.

Again, kudos to hon. Minister of Education for, you know, speeding it up. It was a fast process, but at least he did contact a lot of these schools boards and was able to provide some feedback. They also had a few more days to evaluate the information, and that's to be commended despite the fact that, you know, we had to provide you with that guidance, but that is good. There are many, many great things that the Wildrose can provide for this government if you just listen to us all the time. All the time. The hon. Minister of Finance agrees with this, and that's good to see.

So I just want to say on behalf of the Wildrose: thank you for listening. A lot of school boards do also appreciate this last-minute consultation enough that they're more comfortable with this bill. So thank you very much. Keep up the good work, and congratulations on your first bill.

**The Chair:** Are there any other questions, comments, or amendments with respect to this bill? Are you ready for the question?

**Hon. Members:** Question.

[The remaining clauses of Bill 8 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

**Mr. Westhead:** Madam Chair, I move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

**Dr. Turner:** Madam Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bill with some amendments: Bill 8. Madam Speaker, I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Aye.

**The Deputy Speaker:** Opposed? So ordered.

### Government Bills and Orders Third Reading

#### Bill 8 Public Education Collective Bargaining Act

**The Deputy Speaker:** The hon. minister.

**Mr. Eggen:** Thank you, Madam Speaker. Certainly, we've had very good debate around this, and what I truly enjoy is the sense of consensus on how we are arriving at a place where we should be as a governing body, as a legislative body to deal with collective bargaining for teachers. Certainly, this is just the beginning. As I said before, this is how it will take place, hopefully, if we manage to pass this. The what and the heavy work in the next few months are still to come.

However, I fully expect, Madam Speaker, that all parties recognize, first and foremost, the integrity and the strength of our education system across the province and will invest in the success of this collective bargaining process with the best interests of our students, of our parents, and the smooth functioning of our communities with which each of the schools is so deeply entwined.

I am both edified and thankful for all of the input that I've had over the last months and weeks and in the final few days as well, as we worked through the actual bill. It's a remarkable experience, and I believe that we can all perhaps learn from the spirit of co-operation that we've managed to hit on here. Maybe everybody just had a big dinner tonight, and they're not scrapping and fighting as much as usual. No. Seriously, it's a mechanism by which, you know, the Legislature can function. It's something that ultimately I'm very proud of, how this process can work here to make a better society for all.

Thank you.

**The Deputy Speaker:** The hon. Member for Calgary-North West.

**Ms Jansen:** Thank you, Madam Speaker, and thank you to the Education minister. I want to echo the sentiment that when we gather here and we have adult discussions without the yelling and without the heckling, we actually can get some pretty good work done. I think it's an excellent example of being able to sit down and discuss the merits of a piece of legislation and introduce amendments, and even though my amendment wasn't passed, the fact is that it was still a respectful discussion, and we had a chance to have that discussion.

I think that for those of us who have heard a lot from our school boards, we certainly all brought up those concerns. Going forward,

I still have those concerns. We all want to see a system of collective bargaining that works for everybody. I have lots and lots of teachers in my constituency, and they want to see a pain-free system. I don't know if we'll ever get to a pain-free system, but we want to get as close as possible to that. We also have lots of school board members and lots of parents who want to see us get to a place where we have that.

None of us benefits, especially those of us who are parents, when we're in a situation where we have labour disagreements. We want our teachers to be happy, and we want them to work in an environment where they are functioning at their optimum. We do that when we have labour agreements that are strong, when we have collective bargaining that doesn't have people leaving the table extremely upset. We also need to make sure that our school boards feel the same way.

I am cautiously hopeful going forward that this system is going to be an improvement. I look forward to being able to examine it from the other end once we've been through this process. Certainly, I would really just like to finish by saying that I would like to have more discussions like this in the House on a regular basis.

Thank you.

**Mr. Clark:** I, too, will echo the sentiment of the Member for Calgary-North West as well as the minister. It is quite remarkable what we can do in this House when we sit and listen to one another. It can be done. It's a good example to set. As I go through my briefing notes, that my very capable team has prepared for me, I reflect on some of the concerns that we had as we went through the bill as a team. The vast majority of those concerns have been addressed by the amendments to the bill, and the questions that we've had have been answered through debate, so I very much appreciate having gone through that process.

What's important in any collective bargaining process, especially for something as important as education, when we're talking about students and student outcomes, is that we have great teachers in the classrooms and that, of course, schools are not interrupted with any work disruption. Of course, as representatives here of all citizens, both students as well as taxpaying Albertans, we need to make sure we get a fair deal. In these difficult and challenging economic times that, I would hope, is going to be in the forefront for the TEBA group. We need to make sure that it's the right deal for teachers and, in particular, the right deal in challenging economic times for the budget as well.

9:30

So I look forward to paying close attention to this as it plays itself out. Let's hope – although I don't know how long this feeling of unanimity will last as we move on to debate a different bill later this evening, I live forever in hope that it is at least possible. We've shown it can be done.

Thank you very much, Madam Speaker.

**The Deputy Speaker:** Hon. members, Standing Order 29(2)(a) does come into effect if anybody has any questions or comments for the hon. Member for Calgary-Elbow. Go ahead, Sherwood Park.

**Ms McKittrick:** Madam Speaker, I am delighted that we are able to have a discussion on an issue as important as education. I was going to ask the hon. Member for Calgary-Elbow: why do you think when it comes to the matter of public education that we can have such a congenial time in this House? [interjection]

**Mr. Clark:** I won't repeat the comment from my Wildrose colleague over here.

You know, I think some issues are more controversial than others. I mean, I just think that's it. I think on this one there's broad agreement that everyone in the House is broadly trying to do the same thing.

In my comments earlier on Bill 6 I hoped to try to bridge some of that, but there's obviously a very fundamental disagreement and difference of opinion on that bill whereas on this one it appears there isn't. There has been an acknowledgement in this case that perhaps consultation wasn't done as fulsomely as it could have been although some fairly extensive consultation had taken place leading up to the introduction of the bill. Once the bill was introduced, there were questions asked by school boards in particular. Those questions were addressed by the minister, and I think that helped turn down the temperature and calm things down.

So perhaps there's a lesson there for the government in terms of how this has been approached. But I think, also, that we're all in this House in pretty broad agreement that we need to get to a negotiated settlement as quickly as possible to keep teachers in the classrooms.

Thanks for the question.

**The Deputy Speaker:** Any further comments under 29(2)(a)?

If not, I will recognize Drayton Valley-Devon.

**Mr. Smith:** Thank you very much, Madam Speaker. I rise to speak to Bill 8, and I would say that I'm very happy, to a degree, with the process that has gone on throughout here. The Wildrose believes in local decision-making, that decisions are best made by those that are closest to the situation. Probably, as we started off this process, our position was pretty close to the idea of maintaining a local bargaining position with regard to negotiations because we do believe in local decision-making.

We were aware that the minister began this process of looking at a two-tiered bargaining system in the summer by discussing bargaining models with the various local school boards. I guess I would commend the minister for starting the process off by going to the major stakeholders and by asking them where they stood and what they were looking at when it came to bargaining and whether or not they should move to some other form of bargaining. That first step in consultation was probably a very wise thing to do by the minister, so it probably started well by meeting with all the school boards.

Consultation is effective if at the end of the day that consultation and the bill that comes out of that consultation reflect a consensus of what the people actually want. In this case, you know, consultation is effective if the bill that is passed or is discussed and debated in the House actually, at the end of the day, meets the needs of the major stakeholders in education, whether they be local school boards or the organizations like the ASBA and the PSBAA, if the consultation actually comes out with a bill that reflects the views, the values, and the decisions of the major stakeholders involved. I think that's a pretty important thing to remember about consultation, that at the end of the day it does need to, in a democracy, reflect what the major stakeholders would desire.

You know, part of the process that I know we went through as a party in the Wildrose was going back to those major stakeholders and asking them where they stood. What did they believe the bill did? Where did they stand on this issue? One of the things that became really obvious to us at the beginning of this part of the process was that the major stakeholders believed in local bargaining. We really wondered – and we said it at the beginning of this process – if Bill 8 would become a new Bill 6. Would it end up not listening to the needs of the major stakeholders? If it wasn't

going to listen to the stakeholders and if it wasn't going to be reflective of the needs of the people that are actually providing educational services in our province, that was going to be issue.

I guess what I would argue, then, is that the consultation started off well, but it appeared to us that it was starting to break down when the bill actually came out. When the bill was made public and the school boards and the major stakeholders first got a chance to take a look at this bill, two things began to be of concern to both the stakeholders and the Wildrose Party. One was the timeline for further feedback on this consultative process. Was there going to be time for the local school boards, for the major stakeholders, to be able to actually provide feedback on the bill that the minister had brought forward? You know, that's a major concern.

I think it's reflected – and I won't read the whole letter from, in this case, the CBE. We could have picked any one of a number of different school boards. They all reflected some of these early concerns with this process. I guess I can't refer to the member. I'm sorry, ma'am.

On Friday, ... [the] Minister of Education, provided Alberta School Boards with information about Bill 8, ...

This is dated December 1.

... the Public Education Collective Bargaining Act. We learned that many details are still to be addressed. There was no opportunity for trustees to ask questions during this conference call ...

So they were informed of the bill through a conference call but never got the opportunity to ask questions about the bill during that conference call, and that's a concern. It's a concern because: will the consultative process actually allow this bill to reflect the wishes of the boards and the major stakeholders?

We are concerned about the speed with which this legislation is moving and would appreciate the opportunity to work with government to learn more. In particular, we want to understand how a provincial-wide structure will benefit CBE students and their families. We also seek clarification on what items will be provincially negotiated and what will be left to local bargaining.

You see, when you have a consultation process, there are things and there are issues that have to be worked through, Madam Speaker, and they need time. While this got started off with time, talking with them over the summer, when the bill came out, there were some real concerns.

The CBE Board of Trustees continues to support a local bargaining model ...

So a two-tiered model was going to be a problem if there wasn't consultation and discussion about some of these issues. They were concerned that their "voice will be lost and the interests of Calgary students will be diminished.

We are concerned that erosion of local control will not be in the best interests of students, parents, and the community ...

There appears to be a difference between the input school boards provided to Alberta Education previously on this issue, and the comments the Minister has made in which he suggests the Bill reflects the input and wishes of school boards.

Some serious concerns, Madam Speaker, and that was on December 1.

**9:40**

I know that we as the Wildrose Party, believing in local decision-making, believing that bills need to reflect the wishes of the people, had some pretty serious concerns about Bill 8.

Now, we understand that there were further consultations that came forth. We understand that there were some more consultations beginning, I believe, on December 3, that, while short, did seem to address some of the major stakeholders' concerns with either the bill or with the government and how it was proceeding.

We have again – and we can table this later – a letter from the board of trustees for the Calgary board of education, received by the hon. Minister of Education on December 4. It says:

Thank you for the opportunity on December 3, 2015 to provide feedback to your staff on the government's proposed Bill 8 . . .

I think it was wise of the minister to go back to the school boards and to the major stakeholders and to ask for their concerns. This letter does go through the concerns with sections 8 and 9 in the bill.

In addition, the criteria for determining central matters in section 10 is too broad . . .

They start to list some of their concerns with the bill, but they end off with this comment.

Should Bill 8 be amended as we propose above, The Calgary Board of Education can support Bill 8, notwithstanding our consistent position that local school boards should retain exclusive responsibility for bargaining teacher collective agreements.

I think that when you have a consultation process that actually consults and actually listens to the major stakeholders and actually tries to reflect their concerns, you do get positive results in the end.

I believe the amendment that the hon. minister brought forward this evening – while it isn't probably everything that we as the Wildrose Party would prefer to have seen in the bill and while we would have preferred to have seen a few other things addressed and some movement in some other areas, we do see that by allowing the school boards to be a part of the first bargaining session as a part of TEBA, to be able to set the tone for what matters will be local and what matters will be provincial from the very beginning, this has taken a step towards providing a better bill. It has reflected some of the concerns that have been brought forward by some of the school boards and some of the major stakeholders, and I think it does show what successful consultation can start to look like.

Having said that, we would have preferred to have seen a more exhaustive consultative process, one with longer timelines, one that would have allowed school boards to have met, to have discussed, to have met again at their provincial level through the ASBA, that would have allowed the ASBA to have had a more confident process in moving forward and having discussions with the minister. So while we still have some concerns, I think we can say that this consultative process has been better than others that we may have argued about over the last week. I think we can say with confidence that there has been some movement on behalf of the government to listen to some of the stakeholders.

With those comments, while we may have as the Wildrose Party some concerns about some of the specific issues, we will be supporting this bill.

**The Deputy Speaker:** We have five minutes of questions or comments under 29(2)(a) should anyone wish to take advantage of that.

Seeing none, the hon. Member for Calgary-Lougheed.

**Mr. Rodney:** Thank you very much, Madam Speaker. I'd like to read three short letters into the record to make a certain point, which may be obvious after the first sentence. The first is from the Calgary Catholic school district, who write:

The Board of Trustees of the Calgary Catholic School District would like to urge you to delay the third reading of Bill 8, the Public Education Collective Bargaining Act until such time as appropriate consultation may occur with key stakeholders, the publicly elected school boards of Alberta.

We, along with many boards in our province, have concerns about the consultation process and the extremely tight timelines associated with this legislation. Initial consultations occurred in September/October of 2015 to gather input from boards. It was

the understanding of our board that this information would be compiled and further consultation opportunities provided prior to the passing of any legislation. We invite the opportunity to dialogue more fully with you and your staff to understand the legislation, the role of school boards in the collective bargaining process and share our own concerns and interests.

We understand that the legislature continues to move forward with this Bill. We respectfully request that the third reading of this bill be paused to allow for more consultation and opportunities for feedback with Boards.

Madam Speaker, you might notice I did not interject with any editorial comment. I don't believe any was necessary. I believe this says it all. That's the perspective of one board.

Yet a second letter:

We are writing to you with respect to Bill 8, the Public Education Collective Bargaining Act that you presented for first reading in the Alberta Legislature Thursday, November 26th.

Bill 8 is [a] very significant [piece of] legislation that will dramatically affect the vast majority of school boards in this province.

We understand there is consideration for second and third reading to be completed and the passage of this legislation into law before the currently scheduled December 3rd end of this sitting of the legislature.

We have not seen this legislation prior to November 25th. It contains measures that we did not anticipate from the single consultation on potential bargaining frameworks that was facilitated by your staff.

We believe that, as locally elected school boards democratically chosen to represent our students, their families and our constituents, we should be given more than a few days to properly review the proposed legislation and to provide you with our recommendations on Bill 8 prior to it [becoming] passed into law.

We certainly recognize that there is a need for school boards to act quickly, and will undertake to do that, however, you will understand that attempting to do this hastily, before the close of this legislative sitting, will be a disservice to our students and severely compromise our ability to serve our electorate.

We, the undersigned publicly elected school boards respectfully request that you do not pass Bill 8 before you have met with us and listened to our concerns and heard our recommendations.

Madam Speaker, that from Golden Hills school division.

The last one, although I could do more, for tonight would be this, from the Calgary board of education, simply their last paragraph in a very short letter.

We would appreciate if you would add our name to the list of school boards that is requesting that the minister ensure that Bill 8 is not passed prior to consulting with school boards.

Now, the only thing I will share in terms of an expert is the summary from that letter.

No consultation with school boards with regards to the unintended consequences of this Bill.

No opportunity for school boards to be at the table on the initial bargaining framework. (Items for central vs local tables)

Erosion of present local bargaining opportunities and solutions based on the current language and criteria used in the Bill to identify local vs central bargaining items.

The criteria in Bill 8 used to identify central/local bargaining items as well as the arbitration process that ensured that all items will be at the central table.

And, finally:

We believe it is critical that we have the opportunity to work collaboratively with our local education team to develop the best plan in each of our different schools for our students. Bill 8 does not provide for that.

As such, Madam Speaker, the only way that I could vote for this bill would be if it were indeed to be put on pause and taken out for true consultation and collaboration with boards just like this, who are being very polite and very professional and very respectful in offering their advice to work together with this government. That's not happening right now, so I can't vote for this bill at this point in time.

Thank you, Madam Speaker.

**The Deputy Speaker:** Hon. member, you will be tabling these letters tomorrow in the House?

**Mr. Rodney:** I'm very happy to. Thank you.

9:50

**The Deputy Speaker:** Wonderful.

Any further speakers to the bill in third reading?

Sorry. I forgot 29(2)(a). Any questions or comments? Calgary-Shaw.

**Mr. Sucha:** Thank you, Madam Speaker. I want to thank the hon. Member for Calgary-Lougheed for reading those letters. In fact, we share many of the same trustees. I think it's very important for us to remember those letters because most of them were drafted and submitted before we consulted with the school boards, and since then the tone of the conversation has changed immensely. We've seen a lot of positive support coming our way in regard to this. You know, I had a chance to, as I said, attend some of these consultation meetings, and the overall vibe that came from that was a very positive one leaving the room. The school boards felt like they were being heard. One of the main things that we were hearing as concerns was section 8, and because of that, we have seen an immediate shift in tone from a lot of the local boards throughout Alberta.

So it's very good to sort of see those reflections that the hon. member is bringing up because it kind of shows us where we've come from and where we are going, which is a collaborative direction with all of our school boards here, to work together. Ultimately, I need to thank all those school boards for working with us to really build this, the final product, to where it is today, too.

That being said, I just want to take this time to thank the hon. member for bringing those forward because I think it is important for us to see where we have come from and where we are going as well.

**The Deputy Speaker:** Calgary-Fish Creek.

**Mr. Gotfried:** Under 29(2)(a) as well. Thank you, Madam Speaker. I wanted to rise to make a few comments. I also received numerous letters from the Calgary board of education, very respectful letters but with some very specific concerns on clauses 8, 9, and 10.

In addition, I received a letter from the Clareview public school board outlining similar concerns with clauses 8 and 9. That, to me indicates, again, a concern with the consultation that has transpired to date, the short time, which is something that we have perhaps seen a bit too much of with respect to consultation, a monologue versus a dialogue. I think that there is an opportunity here to take a step back and to ensure that for the school boards that are being most deeply affected, their parents, their students, and their finances are being addressed.

I'd like to ask the member if there are any other threads or patterns within the communications he has received which would indicate specific concerns with certain clauses within this bill as well.

Thank you.

**Mr. Rodney:** Well, I'd certainly like to thank the hon. Member for Calgary-Fish Creek, my next-door neighbour in more than one sense of the word. The fact of the matter is that this is an alarming pattern that we're seeing. And, Madam Speaker, I recognize that we're not debating Bill 6 right now, but it is a similar theme, the lack of consultation. Those who are affected by both Bill 6 and Bill 8 are telling us that the bills are important, that they're ready, willing, and able to work with government on these issues that are pivotal to them as they provide service for all Albertans as we eat and all Albertans as we learn.

The fact of the matter is that any kind of heavy-handed approach from any government, no matter the political stripe, is fought vehemently by people who really believe in those that they are serving, again, whether it's those in the agricultural communities or the educational communities.

Honestly, sitting over here for the first time, it is absolutely boggling to me why a government in this position wouldn't take the opportunity to get this right. These are good people: our farmers, our educators, our students. They want to work with you. So why wouldn't you take the time to do that? You know, I've heard some language which is a little bit extreme when people say things like: you could go from zero to hero. I think that's a little extreme. And you don't do it for that reason; you do it because it's the right reason.

These people are asking me: what is the urgency that this needs to be done in the next couple of days? That's what they're asking. They're asking that about farming. They're asking: why is it that you would take 18 to 24 months for regulations, yet you have to steamroll legislation through in a matter of days? To them I submit, you know, respectfully through you, Madam Speaker, that it just doesn't make any kind of sense.

What we do in here should make sense. It should be common sense. Hon. member, through the chair, they're telling me that that is sadly lacking.

Thank you. That's all we have time for.

**The Deputy Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Cooper:** Thank you, Madam Speaker. It's my pleasure to rise today at third reading of Bill 8. We've heard some very good debate this evening. Much of it has been very respectful, and for that, I appreciate the tone of the debate in the House this evening. I think that what happens when stakeholders are treated with respect – even though at times during the process they didn't feel exactly consulted, if at the end they are granted that respect, it also quite easily translates into the House. And when that doesn't happen, I think it often translates into the House. We've seen that over the past couple of weeks around this Assembly.

I think that some very good work has happened here this evening. Certainly, my hon. colleague chatted about how we arrived here and the consultation that took place in the summer and then the breakdown in consultation and the speed at which Bill 8 was taking place and some significant concern and uprising, if you will, around a few sections of the legislation on behalf of school boards, some of the concerns around TEBA not being at the table in the early stages of negotiations. We saw the government and the minister, much to his credit, respond to some of that concern and criticism quite quickly, and as a result, some positive work got done here.

But I think that there are two challenges that we face. I know that hon. members across the road say: "December 31. We have to have this done by December 31. That's why we are proceeding at breakneck speed. We're up against this deadline." I appreciate that. But so far, in the seven months of this new government, at every

single turn the government has had a reason, an excuse to rush through legislation. While I don't expect this question to be answered – in many respects it's rhetorical – I wonder when that will stop, when the crisis of the day or issue of the day that is pressing will be such that the government can appropriately plan or whatever they need to do to make sure that we're not always up against some crisis looming, that they can use this excuse in the House that we have to do it, that we need to rush things through.

One thing that this government promised when they were campaigning – certainly, the four members of caucus that were part of the fourth party and sat on this side of the House at times talked a lot about their frustration around these very issues, that the government of the day was rushing through pieces of legislation, debating till all hours of the night so that they could get out at the end of a session. I seem to recall rising in this place not that very long ago proposing that that very thing might happen in this session. Sure enough, the things that I had said then are coming true today, for whatever reason, whether it's the impending deadline of the 31st or invoking closure on other pieces of legislation. The things that this government used to speak out against are now happening.

**10:00**

The government of the day likes to blame the third party for all sorts of things and how, after 44 years of terror and reign, they used to do this. But it took them a long time to get to this point, and here we are a mere seven months in and we're rushing through legislation.

While I appreciate the good work that's been done and many of the issues that have been addressed, the challenge is that 15 minutes ago we were in Committee of the Whole, where there were some significant changes that took place, and now we're in third reading, and this bill is very likely to pass in the next few minutes, perhaps an hour, perhaps two. I don't know how many more hon. members want to rise. But it being 10 o'clock, I felt it was inappropriate to send some text messages to the chair of, say, the Golden Hills school division, whom I have consulted at great length about this bill.

Mr. Price is a wonderful man doing a wonderful job for much of the constituency of Olds-Didsbury-Three Hills, and he has provided a number of letters to the government. I would have loved to say: hey, this was the actual amendment that they proposed, and clearly on section 8 there is agreement. I have a letter that says: "with the [recommendations] to section 8 and deletions of Section 9 and 10" and a number of other issues. He goes on to say: I would love to have the opportunity to follow up and make sure that the consultation that took place after the encouragement from the Official Opposition, that the consultation that they had all had over the weekend is actually what's delivered here today.

But when we go through legislation at such a pace, passing Committee of the Whole and third reading in mere hours, that type of consultation and that type of feedback and checking in proves impossible. I just don't think that this is the type of change. Certainly, we saw this in the past, and many members of this Assembly expressed concern over this. I had the opportunity to read some of those concerns into the record last week. Now here we are today with similar sorts of challenges and concerns. It's clear that the Golden Hills school division had many concerns about the bill and still, in fact, may have some additional concerns. But this is the challenge when legislation is passed at breakneck speed. We've seen that, basically, at every turn.

In fact, Madam Speaker, with virtually every single piece of legislation that has come before this Assembly, the Official Opposition and, in fact, myself – I have a strong desire and commitment to seeing the Assembly work better and in a much

more respectful manner, as it has this evening – have recommended a motion that would send these pieces of legislation not to Committee of the Whole, as they were addressed and fixed today, but to legislative policy committees so that proper consultation and appropriate timelines for important legislation that sets out the future of our province can be done in a manner that doesn't put undue pressure on school boards to call special meetings, to rush to Edmonton over the weekend but to allow us thoughtful reflection.

We've seen that on many pieces of legislation, that this government has refused to send any piece of legislation to committee. Oh, my apologies. They did send one, one private member's bill that was introduced by the opposition, a very simple bill that had agreement amongst most members of this Assembly, not even a difficult bill that changes the framework of negotiations in our province. Well, I think we arrived at a pretty positive point but not even something as significant as that, with all due respect to my hon. colleague, who introduced an important piece of legislation that initially was killed. Every once in a while the government likes to take some advice from the opposition and recognize when they've made an error, stop, turn around, and in this case even reverse a decision of the Assembly, resurrect from the dead this particular bill, and then send that bill to committee, a bill that we basically had agreement on in the House. So this is my concern with the direction of the new government.

Every once in a while, though, the government decides: "You know, the opposition is not all that bad. They have a good idea once in a while." They've taken the opportunity, like after killing my hon. colleague's bill, of resurrecting it, 7.25 per cent pay raises, that sort of thing. Unfortunately, for whatever reason there are other pieces of legislation that are before this House that this government doesn't choose to offer the same respect as they did to school board trustees in their desire to come to a good solution.

It seems to me that in this case and in the case of other pieces of legislation that may be before the Assembly, they have this desire to consult some groups but not others. I think it's unbecoming of the government, I think it's unbecoming of the process, and I think it's awfully disappointing that virtually no pieces of legislation have been sent to committee for full, robust discussion, where members of the community, expert witnesses, stakeholders, other members could come before the committee and provide feedback. Then we wouldn't be where we are today – we're rushing, with people driving all across the province to provide feedback to the minister – because we could do that in a manner that's respectful of the Assembly, respectful of the people that the bill affects, and respectful of the process.

While I might wrap up my comments because I don't want my concern around the process to detract from the fact that I think the government arrived at a pretty reasonable solution for school boards, I might just add on behalf of the Golden Hills school division a small quote from a letter that they wrote on December 4, after all of the additional consultation took place.

With the recommended amendments to section 8 and deletions of Section 9 and 10, though Golden Hills' first choice remains local bargaining for all labor negotiation, at this stage of the legislative process we are prepared to support an amended Bill 8.

If I would have had the chance to circle around and go back to the school division to make sure that they got what they laid out in this letter, it would be much easier to support, knowing that the people whom this bill greatly affects also support where we ended up. What this bill does do is lay out . . .

**10:10**

**The Deputy Speaker:** Comments or questions under 29(2)(a)? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Hanson:** I was just enthralled with the conversation, Madam Speaker, and I was wondering if the hon. Member for Olds-Didsbury-Three Hills could complete his statement.

**Mr. Cooper:** What this bill does do is that it lays out a framework for a very important negotiation for our province that is just around the corner, and it's my hope that under the new parameters TEBA and the ATA and the ministry and the minister's office will be able to get the best available deal for all parties concerned. I say that with all sincerity. It is important for the future of our province as many of these people are doing just that, investing in the future of our province.

My hon. colleague from just down the road has done an incredible job over a lifetime building the future of this province, which he continues to do today here in this House, so that the new framework can ensure the appropriate cost measures for the province and the public purse, so that local school boards will be able to negotiate in a manner that is reflective of the individual and unique needs of that school board.

I can tell you, Madam Speaker, that those needs are vast and varied, particularly in a constituency like Olds-Didsbury-Three Hills, that has many very rural, very small schools that have to be very innovative to remain competitive. It's my hope that this framework will allow them to be able to continue under those parameters and negotiate a number of the things that are important to them on the local level and that TEBA and the ministry will be able to ensure that we have a fair deal not only for teachers but for the province in ensuring that under the current economic circumstances all factors are considered fully and fulsomely.

**The Deputy Speaker:** Still a couple of minutes remain under 29(2)(a) should anybody wish to take advantage.

Seeing none, are there any further speakers in third reading? The hon. leader of the third party.

**Mr. McIver:** Thank you, Madam Speaker. I'll be almost as brief as my colleague from the Official Opposition. You know, I've been listening here, and I will say that I agree with my colleague from Calgary-North West's comments that the tone of the conversation has been constructive, and I think that's good. That doesn't make the bill perfect, but in fairness I will give the minister credit for trying to cobble together some consultation at the last minute with the School Boards Association.

But there are a few things that are, for me at least, outstanding. One is, actually, the amendment that my colleague from Calgary-North West put forward. I thought that would have helped the bill, the principle that the party at the negotiation that triggers a financial obligation ought to be able to be responsible for the financial obligation that they trigger. To me, that was just full of too much common sense to ignore, and I'm just a little disappointed that it didn't carry because I thought – my compliments to my colleague – that that would have been good.

One of the other things that is troubling me, unfortunately, is the consultation. As much as I know that the minister tried to, though, in my humble opinion, too late in the day, cobble together some public consultation, he hasn't really gotten it done as evidenced by the letters read out by my colleague from Calgary-Lougheed today. I think that he's really presented to this House evidence that indicates that the job isn't done.

So, unfortunately, Madam Speaker, this is a continuation of an unfortunate pattern by the current government, that they keep bringing forward pieces of legislation – and, again, I'm not trying to be unfair. I'm sure that their intentions are good. But the fact is that they haven't talked in most cases to the people most affected

by the legislation that they're bringing forward. Consequently, they're in trouble all over the map with Albertans for not talking to them before they drag legislation into this House. It's an unfortunate, negative pattern that still exists. Clearly, based on the letters read out loud by my colleague from Calgary-Lougheed, such is the case on this bill.

So when I don't support it, I wanted members of the House to know why. I still think that there's some work to do, and I still think that there are some lessons for the government to learn about the fact that we all work for Albertans, and we need to talk to them before making them live under legislation that we pass in this House.

Thank you, Madam Speaker.

**The Deputy Speaker:** Questions or comments under 29(2)(a)?

Seeing none, any further speakers to the bill in third reading? Chestermere-Rocky View.

**Mrs. Aheer:** Thank you, Madam Speaker. I'd also just like to read a letter into the record if I may. This is from Rocky View schools. One thing that I'd like to say before I start is that – and this has been going on since this was brought up – I still have not received any new correspondence from any of my trustees or from my area that they've had any correspondence regarding this change. So it's a little confusing to understand whether or not people have been consulted correctly or not. This letter was based on potentially previous information, but as I can tell so far, there hasn't been any consultation with my group.

The board of trustees of Rocky View schools is respectfully adding its voice to the swell of protest from other school boards around the province, regarding the Government of Alberta's introduction of Bill 8.

Firstly, we are aghast at the speed at which this very important legislation – which will affect Alberta's students now and in the future – is being rushed through the legislative channels and into law. One week is hardly enough time for our democratic process to do its work. We are disappointed that the government is opposed to sending this legislation back to Committee. Now it is our turn to urge you to delay this bill.

Secondly, we are puzzled by the lack of open, two-way dialogue with school boards from a Government that promised to do business differently. Surely there was a time to draw school boards into the conversation in the two months before your staff's consultation with the school boards and tabling the legislation?

As publically-elected officials who represent the interests of students, parents and their local communities, we ask that you take the time to listen to our concerns and hear our recommendations. We understand there is a need to be nimble.

Again, we are urging you, as have our colleagues, to immediately press the pause button on Bill 8. Rocky View Schools will willingly participate in the ensuing dialogue, ensuring Bill 8 serves the interests of Alberta students long into the future.

So, Madam Speaker, this is ultimately the issue. It sounds like that some school boards have been contacted. It sounds like there has been some consultation, but I honestly say that right now, even still now, I'm trying to get hold of people to find out if they've been consulted with, and I can't get an answer. I'm having a difficult time trying to understand what's going on with this consultation. I have to mirror some of my colleagues' comments on the aspect of the lack of consultation again and that the pattern is there again. I really felt that it was important to read this into the record.

Thank you very much, Madam Speaker.

10:20

**The Deputy Speaker:** And you will be tabling this, of course, tomorrow.

**Mrs. Aheer:** Yes.

**The Deputy Speaker:** Thank you.

Any questions or comments under 29(2)(a) for the hon. member? The hon. minister.

**Mr. Eggen:** Yes. Thank you. To the hon. Member for Chestermere-Rocky View, who has just spoken, as it happens, one of your trustees is the president of the Alberta School Boards Association. She has said:

School boards needed a voice in this first round of negotiations, and I am pleased to see the Minister taking steps to ensure this happens . . . we would still like to see [some] other changes, we look forward to working with the government in an authentic partnership to strengthen the role of school boards

as we move forward. So, yeah, we got that.

I mean, you know, you have to look at the interaction between the idea – people knew we were going to some provincial level of negotiations – and the drafting of the bill and then the short strokes in the intervening seven or eight days that we've worked through. So I recognize the issue. Certainly, many of these letters that you're reading, if you check the date on them, they are – yeah. Anyway, that's one of your school board trustees, who happens to be the president of the ASBA as well.

**Mrs. Aheer:** Yes, I'm quite aware of the date. December 3 is on here.

I'd like to mention again that that's wonderful that the minister is aware of that information. I'm not sure when you received that information. Having said that, though, in here it is obvious that whatever consultation was done has been done in a very, very fast manner. Again, if I may repeat, that pattern is not positive nor is it conducive to appropriate consultation.

Thank you, Madam Speaker.

**Mr. Eggen:** Some people don't like the results as well, Madam Speaker. That's an issue. Yes, the December 31 deadline is very real, so certainly we worked through this process to ensure that we can have this sort of provincial bargaining take place. The subtext of some of these comments is that people don't want that to happen. If we miss that deadline, then we would go back to the unstable circumstances that we've had to deal with for the last three bargaining rounds, which did not produce necessarily the best results.

**The Deputy Speaker:** Hon. leader, on 29(2)(a)?

**Mr. McIver:** No. Just – I'll be brief.

**The Deputy Speaker:** I've still got two more minutes on 29(2)(a).

Any further speakers to that piece? If not, then I will recognize the hon. leader.

**Mr. McIver:** I just – actually, 29(2)(a), Madam Speaker.

**The Deputy Speaker:** Oh, sorry. My apologies, hon. leader; 29(2)(a) is fine.

**Mr. McIver:** You know what? Respectfully, Minister, I don't want to pick on you too much. However, you just talked about the December 31 – you can call it a deadline, but it's a point where you'd want to have this done. All I wanted to ask you is: don't you think this would have been a little easier had you not spent six months getting a budget ready and spent maybe three months getting a budget ready? Would this not have – again, I'm not trying . . .

**The Deputy Speaker:** Hon. member, the intent of 29(2)(a) is a comment on the hon. Member for Chestermere-Rocky View rather than a totally different subject with the budget.

**Mr. McIver:** To the Member for Chestermere-Rocky View: do you not think this might have been a little easier on the minister had the minister actually brought this thing forward and the government had brought a budget forward with the House three months ago instead of one month ago as we had helpfully suggested? [interjection] The Premier talks about 44 years. There's a reason that the previous government was here for 44 years. I would suggest to you, Madam Speaker, that it's because while the previous government was very imperfect, they actually listened to Albertans. Albertans didn't actually elect them for 44 years; they elected them for four years about 13 times in a row probably because they were happy. [interjections] However, at the end they didn't, and there were lessons to be learned, and we're working hard to learn them.

**The Deputy Speaker:** Could we have some order, please?

You've got a few seconds, hon. member.

**Mrs. Aheer:** Thank you. I would like to respond to that. You must be getting tired of looking over your shoulder in the rear-view mirror. I'm sure our new government will have that opportunity as well.

I'd like to just answer your question: yes. Time is of the essence, evidently, and I think that when we are looking at small time periods like this, it is very difficult to make legitimate decisions, legitimate choices, and they're being forced to make these much . . .

**The Deputy Speaker:** Any further speakers to the bill?

**Mr. Hanson:** Thank you, Madam Speaker. I just feel that I've got to go on record as well. I've got letters from school boards that I could also read. But, again, they were dated, you know, back in November, November 30.

My concern is the four school boards that I represent. Yeah, we're voting on this bill and the amendment, and we've gone through two phases of this bill. I have had pretty much zero – I managed to sneak in one phone call with one trustee, so I can't say for certain whether I'm speaking for the four school boards in my riding or not, those being Lakeland Catholic, East Central francophone, Northern Lights school division, and St. Paul education regional division. It is with a bit of trepidation that I vote either way on this.

Thank you.

**The Deputy Speaker:** Any comments or questions under 29(2)(a) for the hon. Member for Lac La Biche-St. Paul-Two Hills?

Seeing none, any further speakers on the bill? The Member for Airdrie.

**Mrs. Pitt:** Thank you. I actually need to speak up on behalf of the school boards that I have spoken with. I may or may not share an area with the hon. Member for Chestermere-Rocky View. The wording in the letter that I received from Rocky View schools just needs to be taken to heart in the consideration of this.

Firstly, we are aghast at the speed at which this very important legislation – which will affect Alberta students now and in the future – is being rushed through the legislative channels and into law.

I mean, pause. Jeez. There are so many questions here.

There's more to this letter.

Secondly, [they're] puzzled by the lack of open, two-way dialogue with school boards from a Government that promised to do business differently.

I hear that over and over again, guys. It's just something really to consider. You're really not doing this differently. "Backwards" is a good word.

Some of the questions that I had initially heard from the school boards, again, not in regard to the amendment necessarily but the bill itself. They are concerned that this is mandatory, that all school boards will have to join. There are concerns that the ATA and the government will be deciding first, and then the school boards will be told after, again, sort of a theme with this government. That's a very valid concern.

Just tonnes of questions. There's been, maybe, consultation before, but since this has come out, there's just been no dialogue afterwards. That's certainly something that I think would be easily rectified but not yet done. The consultation itself was only two hours with the school boards prior to this, of course, not after. There is a definite concern for local bargaining. There are so many individual needs for individual schools in many different areas.

I understand that the minister did describe that there is still going to be sort of a northern pay raise so that teachers in northern areas will have a higher compensation, I'm assuming. You're going to correct me if I'm wrong after this. I think that is a good thing because that is at least recognizing an individual need for different school boards.

I mean, government doesn't do anything very well, and this is one of those tools that seems like we're going to be going down that path. This isn't what the school boards that I've spoken with are for or against. They just – there's been no time. There's been no consultation. I think it would be okay to put this on hold. I understand there's an urgency for bargaining there in the spring, and I certainly won't pretend to be an expert in that area, but the experts that I have spoken with are: put it on hold. If you could bridge the gap here, take some time.

I won't be voting for this. Thank you.

10:30

**The Deputy Speaker:** Questions or comments for the hon. Member for Airdrie under 29(2)(a)?

Seeing none, any further speakers to the bill in third reading?

**Hon. Members:** Question.

**The Deputy Speaker:** We'll call the question, but first we'll have the hon. minister close debate.

**Mr. Eggen:** Well, thank you, Madam Speaker, and thank you to everyone for contributing to the debate this evening and in the last number of days and weeks. Certainly, we've worked hard to build a framework here that can move forward on how we choose to develop a collective agreement with teachers across the province. There's been a great deal of urgency in having this take place for many years, really. In the interim we've seen school boards doing some local bargaining and then the provincial government intervening, sometimes in very sort of awkward ways, which ended up distorting the collective bargaining process and distorting the capacity for the government to pay for those results as well. This is a way by which we've rationalized the process and worked hard over quite a long period of time to make it happen.

I know there's lots of residual sort of resentment about how school boards have had their powers diminished over the last 15 or 20 years, really. Certainly, we also know about the importance of having the funder at the table to ensure fiscal prudence and responsible bargaining on these very important issues of compensation for teachers. We found this to be the best, most rational way to do so. Certainly, I know that while it's up to school

boards to, you know, put up their defences and demonstrate some reluctance in regard to these things, they also know that this is the most logical and reasonable way to move forward.

We have a responsibility through this Legislature to make sure that we are making responsible decisions about public monies that we have available to us, of which we have less than before. There will never be a better time to set a precedent by which we negotiate with the funder for these wage and big-money issues, not just with teachers but with the public service in general. Those of you who are onside with us in being responsible, pulling in and spending our public money in a responsible way, have a responsibility to vote for this bill. You know, I would urge you to do so. You will feel good as a result, I'm sure, when you go home to bed tonight to go to sleep. You'll turn over and feel really good about yourselves.

We know as well that it's very important for us to have a fair contract for teachers. We have one of the best education systems in North America and indeed in the world in regard to the standards that we produce, and I certainly intend to keep it that way. The first persons who are responsible for that are the teachers and the staff on the ground, who do the work every day with our children.

With those two things in mind, Madam Speaker, plus the fact that, in fact, if we don't do this by December 31, the whole discussion that we've gone through here will be moot because we'll revert to individual bargaining – so you must keep that in consideration as well. While some people might think that things have been rushed along, really they haven't. I know that the debate around these two-table bargaining processes has gone back at least 12 or 14 years. Certainly, from the day that I assumed my role as the Minister of Education, I have been engaging in this very actively, and I look forward to the next, more important round, which is what we are bargaining for.

Madam Speaker, I urge everyone to vote for this bill. I've been very proud to sit through the process, which has been most amicable and constructive, I believe, on the whole.

Thank you.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 10:35 p.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Aheer	Gray	Panda
Anderson, S.	Hanson	Piquette
Anderson, W.	Hoffman	Renaud
Babcock	Horne	Rosendahl
Bilous	Jansen	Sabir
Carson	Kazim	Schmidt
Ceci	Kleinsteuber	Schneider
Clark	Larivee	Smith
Coolahan	Littlewood	Stier
Cortes-Vargas	Luff	Sucha
Dang	Malkinson	Swann
Drever	McCuaig-Boyd	Sweet
Eggen	McKitrick	Turner
Feehan	McPherson	van Dijken
Fildebrandt	Miller	Westhead
Fitzpatrick	Nixon	Woollard
Ganley	Notley	Yao
Goehring	Orr	

Against the motion:

Drysdale	McIver	Starke
Totals:	For – 53	Against – 3

[Motion carried; Bill 8 read a third time]

## Government Bills and Orders Second Reading

### Bill 6

#### Enhanced Protection for Farm and Ranch Workers Act

Mr. Cooper moved that the motion for second reading be amended to read that Bill 6, Enhanced Protection for Farm and Ranch Workers Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

[Debate adjourned December 8: Mr. Orr speaking]

**The Deputy Speaker:** The hon. Member for Lacombe-Ponoka.

**Mr. Orr:** Thank you, Madam Speaker. I'm more than thrilled to be able to pick up where I was earlier today. I was saying that if consultation had been taking place in reality, there wouldn't be a need to keep lecturing farmers that it had been taking place; they would already know. I realize the hour is late, but if you'll grant me the indulgence of a little bit of reasoned and considered debate, I would like to introduce a bit of a multidisciplinary analogy if I could. The reality is that we have been seeing a trend in this government of not consulting, of moving ahead. One of the most famous books in the world of architecture is called *A Pattern Language*. *A Pattern Language* basically makes the point that the patterns that we create do in fact speak a language, and the language is what people hear about who we are. So I would suggest that the patterns being produced here of nonconsultation will in fact communicate to the people of this province.

I would like to take the core idea, actually, from that book, and then I'll not digress any further. At the core of *A Pattern Language* is the idea that people should design for themselves their own houses, streets, and communities. This idea comes simply from the observation that most of the wonderful places in the world are not made by architects but by people. I would like to suggest that with Bill 6 what we have is the government trying to be architects and on the other hand what we have is the people trying to create for themselves their own community, their own life, and their own place. When the trend is that the architects are continually trying to tell the people how they should live, the pattern that's being created here communicates to them in a way that is incredibly powerful, and they've heard it – they've heard the message – and quite frankly they don't want to have their life created for them by the professional experts, or the government in this case.

I know the Premier has stated numerous times that this government will push Bill 6 through regardless of stakeholder feedback, and I strongly urge the government caucus to seriously reconsider that. This pattern of pushing things through without consultation is creating a pattern, and the people are beginning to hear the language.

I come from a rural riding, as do some of the other caucus members. Ranching and farming are intertwined with the lifestyle of my constituents, as they do with the other caucus members. There are government members who have rural ridings. These members have the same kinds of rural constituents, and I know their offices are being inundated with phone calls and letters and e-mails. I know this because their constituents are frustrated with their

complaints falling on deaf ears, and they're contacting my office. I've heard from people all over Alberta, actually, calling in to my office because they feel as though their MLAs are not representing their interests.

Madam Speaker, the people are always right. This government just needs to be doing a better job of bringing Albertans to the table, listening to their input, and crafting legislation that reflects the best solution for those who are farming and ranching, and only then can there be meaningful contribution to the true safety of Alberta farms.

I'd like to just read a tiny bit from a letter that I've received. Really, the invitation here is that farmers just want to be invited to the table. This person says:

Farmers are [actually] pretty clever at figuring out how to do things, to make them work. Perhaps your government could get a few together and I assure you, they would figure something out that would make everyone happy. Please reconsider [this bill] as it stands today.

Well, as it is, it's going to be closed very quickly. But the invitation is to actually engage with farmers, allow them the opportunity to speak with you and to the legislation that's being formed. I actually believe that the discussion could lead to some increased farm safety but only if it actually engages those that have to live it and practise it.

What I have to say, I guess, is most concerning is that the government members from rural ridings haven't been rising to speak to this issue, haven't been speaking their constituents' wishes for them. I don't know whether they've been ordered not to speak, but I say to you that you have been elected to express the views of your constituents, not just to gain office and then be pushed or choose to push an ideological agenda onto constituents when they're repeatedly telling you not to. Stand up for your riding. Do your job. I mean, the people are making their voices heard. When will these members rise and speak for their people?

I've spoken to the Member for Wetaskiwin-Camrose. I know he's here or he has been here, and he's watched much of this debate. I know he's heard the outrage from farmers across his riding, yet he has not stood up to speak for them. It's as if he's a bystander. I know there are close to 2,000 farm families in his riding. My challenge is: what are your constituents telling you, and are you going to speak for them?

I would like to read a letter, actually, that the Member for Wetaskiwin-Camrose has already seen, but he hasn't chosen to stand up and speak toward it. It comes from the Camrose county, signed by the reeve of Camrose county. He speaks to the bill. He says that they would like to express their

support for the importance of safety and the protection of workers . . .

However . . .

It seems like all the letters go that way. They have a "however" or they have a "but" in them.

. . . pushing a somewhat confusing and misunderstood bill through the Legislature, into law without further consultation seems counter productive.

County Council has had an opportunity to meet and discuss . . .

So this isn't just an individual. This is county council in a formal letter to the hon. Premier.

It goes on to say that they have met with their local MLA, Bruce Hinkley,

and it became abundantly clear that there is indeed some . . .

**The Deputy Speaker:** Hon. member, please, a reminder about names.

11:00

**Mr. Orr:** I'm sorry. I retract it. You're correct. Wetaskiwin-Camrose. I'll get that in my brain.

[The member's] comments indicate, "it is difficult as a politician answering questions, much like standing in quicksand, as the target and intentions of the bill are constantly changing." In our conversation with [the MLA for Wetaskiwin-Camrose] the other common expression was "this is the first I have heard of that."

The county councillors express that they are

concerned that adequate research into how this bill should be handled has not been completed or communicated to Cabinet much less the farmers and ranchers.

That's what the county council says.

Camrose County [council] would respectfully request that the Provincial Government suspend implementation of [this bill] until complete and extensive consultation with all affected parties can be completed.

That's from Camrose county council.

While I'm on the subject of letters, I also have one from Lacombe county council. Lacombe county council met recently. This letter is dated December 4 to the hon. Minister of Jobs, Skills, Training and Labour.

On behalf of Lacombe County Council and the Lacombe County Agricultural Service Board . . .

They have concerns with the current process. They go into some details about that. They say:

There is clearly an information gap . . .

We strongly encourage the Legislature to defer further consideration of Bill 6 until the agricultural community is fully informed as to contents of the bill and proposed regulation, and that a meaningful consultation process with all agricultural sectors is completed . . .

Specifically Lacombe County Council is asking:

1. That further consideration of Bill 6 be deferred . . .
2. That information be disseminated to impacted parties [and]
3. That a public consultation process be initiated.

Signed, again, by the reeve of Lacombe county council.

Clearly, not just individuals are concerned about this. Now we have various government agencies also expressing their concern with this government. As well, I don't have the letter, but AAMDC has expressed the same kinds of concerns, and there are others. I think it's important that we realize that this is not just individuals who are alarmed and don't understand what's happening. These are considered people writing formal letters of concern and request for consideration.

I know that government members have seen the protests, the ones going on outside the building and all over the province. I suspect there has also been discussion at the cabinet level about the plans being made by various individuals to have convoys and all kinds of things. I know that the LAO sheriffs and the RCMP and the city of Edmonton were called about how to have a major convoy into the downtown part of Edmonton. They put that off. You know, I think the only reason the government has introduced amendments, has even blinked on this, is because of the degree and the intensity of the protests and the concerns about having the highways blocked and the complete chaos that this bill is creating.

The highly ineffective information sessions are just garnering more anger toward Bill 6 because they're condescending. They express that government-knows-best attitude. It's just sparked and fuelled outrage at the atrocious piece of legislation, which, unfortunately, is becoming the pattern language. A hallmark of the NDP government is that they barrel ahead without consultation or

consideration, a government that has only been in power for eight months yet knows more about family farming than families who have worked their lands for over a hundred years.

Madam Speaker, this government says that they're hearing, but they're by no means listening. How can this government consider putting forward Bill 6 after the concerns of Albertans all over the province are still not actually listened to? We've seen these information sessions, which are a far cry from consultation, conducted in venues that are too small, and they don't allow for proper dialogue. I'm sure I don't need to remind anybody about how ineffective these sessions have been. For those who haven't heard, the Okotoks session actually took place on a bench in a parking lot.

**The Deputy Speaker:** Questions or comments for the hon. member under Standing Order 29(2)(a)? The hon. Member for Little Bow.

**Mr. Schneider:** Thank you, Madam Speaker. Now, the hon. member stated that he'd received letters from municipalities. I think it was two municipalities. I know we've all received letters probably from ranchers and farmers. That's who we're receiving our letters from. But a comprehensive letter written by a town or a county or an MD, that was clearly discussed among several leaders of the community who took the time from their own municipality's business to write a letter about how the government is not listening to its farmers or ranchers, is significant. I'd like the member to respond to that.

Also, how has the member calmed the nerves of people that he has been in contact with that have been talking to him about this bill?

**Mr. Orr:** Well, I guess I would just add that we all know that there are all kinds of I guess we call them trolls on social media, who are out there saying all kinds of radical and extreme things that none of us, actually, quite frankly, wants to listen to. Half of what's said – I don't know – belongs in the Twittersphere somewhere. The reality is that when you have considered and measured officials who take the time to sit down in an official meeting and express their concerns, I at least can't write those things off as people just ventilating. I think these are far more serious than that, and some weight needs to be added to the fact of where these letters come from and the process whereby they have been delivered.

Thank you.

**The Deputy Speaker:** Hon. members, before we continue with this, just a reminder that we are no longer in committee. Could everybody, please, take their proper seats or take their conversations outside. Thank you.

Any further questions for the hon. member under Standing Order 29(2)(a)?

Seeing none, I will recognize Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Madam Speaker. It's a pleasure to rise in second on Bill 6. Good policy decisions can have a profound and positive impact on the well-being of populations, and equally important is the process of policy decisions. Clearly, significant work needs to be done to rebuild the trust in Alberta of the agricultural community and the important values around ownership and respect for the family farm. I have no doubt that the new New Democrat government has learned important lessons about this process in the last four weeks.

Also important are the values for paid employees of occupational health and safety standards, workers' compensation, employment standards, and child labour standards, available in nearly all other

workplaces in Alberta and in Canada. Just today the CBC reported on a fatality inquiry I was involved with following a death on January 31, 2014. A 46-year-old, Stephen Gibson, a New Zealander drawn by the romance of a prairie cowboy life with his wife, became entangled in an exposed power takeoff as his employer looked on, owner Robert Hamilton, fighting back tears, told a two-day inquiry set up last Monday to investigate the death. The victim's wife said, quote: he did mention to me concerns about how things were being done safetywise. Mr. Hamilton was asked by the court if he'd made any changes since Gibson's death. He said that the next day he got rid of the power takeoff, which lacked the proper protective shielding and pulled him right in and wrenched him and killed him in minutes. Mr. Hamilton admitted that he didn't have any safety procedures in place on his farm near Cochrane, hadn't taken any safety courses, and that everything he knew about safety he'd learned on the job.

Disappointing to me are this government's communications and consultation. More disappointing is the absence of concern and action from the parties to my right for basic rights of farm workers, such as the seriously disabled and impoverished Eric Musekamp and Darlene Dunlop, who have been here many times over the last 12 years arguing for basic worker rights, some of which have been in place for decades in other jurisdictions. In fact, their active resistance to any progress on worker rights has been most profoundly disappointing. Nellie McClung in the last century said this about women: we are persons, too. Indeed, farm workers are persons, too.

**11:10**

Where has the Wildrose been in the last 20 years? Fighting for the rights of landowners – fair enough; fight for the rights of landowners – but denying the rights of farm workers? Why? The Member for Olds-Didsbury-Three Hills chided the government earlier tonight for being selective in its consultations with educators and boards in Alberta over Bill 8. How many farm workers did you invite to your rallies? How many farm workers have you consulted about this critically important bill to their fundamental human rights? The Wildrose leader speaks of being a champion for human rights; his actions speak otherwise. Even last week he added his voice to that of the MC at the rally on the front steps, blocking my ability to speak to the audience.

Now, Madam Speaker, we have all been moved by the experience of our 800-year-old Magna Carta, which has been brought to Alberta, the only place in Canada to receive it. Our sense of justice, full participation in decisions that affect us, democracy, fundamental human rights: they emerged from this important historic document. Notwithstanding the miscommunication and lack of consultation over here by the New Democrats on Bill 6, it's fundamentally that this bill is about safe work, the right to refuse unsafe work, investigation of injuries and learning from deaths, fair treatment, and freedom to organize. How long do we have to say that?

The Wildrose has mobilized and incited many family-owned . . .

**The Deputy Speaker:** Hon. Member, we have a point of order. If I could just pause you for a moment, we need to deal with that right away, and then we can continue.

Go ahead, hon. member.

#### **Point of Order Relevance**

**Mr. Hanson:** Thank you, Madam Speaker. I refer to 23(b) section (i). It speaks to matters other than "the question under discussion."

I believe that we are on the referral amendment for Bill 6, referring the bill to committee.

**The Deputy Speaker:** Hon. member, did you wish to respond to the point of order?

Any other hon. member who wishes to speak to that? We are on the referral amendment. Go ahead, leader of the third party.

**Mr. McIver:** I agree with the point of order and the citation. The hon. member is discussing something that is clearly not before the House. I would ask you to rule in favour of the point of order, Madam Speaker.

**The Deputy Speaker:** Did you wish to comment, hon. Member for Calgary-Mountain View?

**Dr. Swann:** Yes. Madam Speaker, with respect, this is related to whether we move ahead on a bill that has been decades overdue or whether we refer it for significant delays, leaving more people injured, more people killed, and more people abandoned by a system that should have been in place for everyone. I don't see that this is out of order. I have 10 minutes to give my argument about why this needs to go forward.

**Mr. Bilous:** Madam Speaker, you know, I appreciate the tenacity that the Official Opposition is showing in relation to the debate on this bill. However, the hon. Member for Calgary-Mountain View was merely working his way to talking about the amendment, but it is still about the bill itself. There is precedent in this House of members, even as early as this afternoon or yesterday, talking about other bills when a bill was on the floor; for example, when Bill 8 was on the floor, members from the Official Opposition talking about Bill 4, which passed yesterday.

The point of the matter here, Madam Speaker, is that this is not a point of order. The Member for Calgary-Mountain View has the floor and is speaking to the bill and to the amendment, which affects the bill, and his position on not agreeing with the amendment to refer this bill to committee.

Thank you.

**The Deputy Speaker:** I will rule on this. I find that it is not a point of order. I was giving the hon. Member for Calgary-Mountain View a little bit of leeway to explain his rationale for not referring the bill to committee. I will ask you to keep that in mind as you proceed, hon. member.

Please proceed.

#### **Debate Continued**

**Dr. Swann:** Thank you, Madam Speaker. For years these issues have been referred, denied, and each successive PC government has agreed that these are human rights violations. Unfortunately, quietly at least, while they would say that the risks were unacceptable, they could not – and I quote former Minister Hancock – get their members in the rural areas to support this change.

Make no mistake. The Alberta Federation of Agriculture has been consulted – it was formerly the wild rose agricultural producers – over many years, representing many commodity groups, as well as the Alberta Wheat Commission, CropLife. Barley, canola, potato, and beekeepers have been involved for years. To be fair, many farmers and ranchers, though, have not been individually consulted, probably because they're not associated with the Alberta Federation of Agriculture or have an association

with them. But I believe that the most ethical landowners in Alberta want Alberta to move into the 21st century and protect workplace safety and compensation for their workers.

Goals of the bill are to respect Canada's Constitution, fundamentally, and the Alberta Charter of Rights and Freedoms, which guarantee that paid workers have fair treatment, a safe workplace, and the right to organize. A legal review by the University of Calgary law school indicated four key areas of our Constitution that were violated by the exemptions currently in place in Alberta. New international buyers like McDonald's, PepsiCo, Walmart are signing on to international food production standards consistent with the ILO and the European Union through a food sustainability set of criteria. They plan to purchase increasingly over the next one to two years from sources that demonstrate indicators of environmental, social, and economic performance, including the following four criteria, Madam Speaker: humane animal practices; food safety; environmental protection, including carbon footprint; and safe working conditions for farm workers.

I'll skip down to the bottom. Clearly, the values of Canadians and most Albertans are now demanding action to address the inconvenient truth that we do not respect the most basic rights of some 40,000 paid farm workers in this province, who are exposed to mechanical, electrical, chemical, and other aerosolized risks without guarantee of compensation for injury and death, with employment standards that do not ensure fair treatment. It's time, Madam Speaker. It's long past time. We owe it to New Zealander Stephen Gibson; to Philippa Thomas, crippled and abandoned nine years ago and still speaking out for farm workers; to Lorna Chandler, the widow of Kevan Chandler, whom I've spoken about before. We owe it to ourselves as we all, I think, would adhere to: we want to be treated as others want to be treated.

I encourage all members to support Bill 6, to reject this amendment. With the protection afforded both worker and operator under the WCB and respectful consultations ongoing over occupational health and safety standards, which will form the code of standards within 12 to 14 months, including employment standards, child labour standards, in the months ahead we will all be proud to be Albertans.

Thank you, Madam Speaker.

**The Deputy Speaker:** Under Standing Order 29(2)(a), the hon. Member for Banff-Cochrane.

**Mr. Westhead:** Thank you, Madam Speaker, and thank you to the member for his very passionate reason for wanting to reject this silly amendment. I'd like to ask the member . . . [interjections]

11:20

**The Deputy Speaker:** Could we have order, please, hon. members?

**Mr. Westhead:** I'd like to commend the member for all the work he's done on this issue over the last several years and the passion that he has put into this. I'd like to ask him: how many e-mails, how many phone calls, how much communication has your office received in support of this kind of legislation? Also, if you could speak to your experience as a physician with farm-related injuries. You also mentioned briefly the WCB. I'd like to know your thoughts around the WCB and whether or not that's an appropriate insurance product to offer to these workers.

**Dr. Swann:** Well, thank you, Madam Speaker. It's very relevant to the amendment. If we refer this to committee, it will be many months before we see the basic protections for people with injuries, the security for family members following an injury. I would say

that one thing that has not been well communicated to the farming community is that WCB actually protects both the worker and the owner. There can be no lawsuit when you're under WCB.

Tongue Creek Feeders around Black Diamond, where Kevan Chandler was killed, went bankrupt after they were sued by the widow because she got no compensation. That's part of what a seven-year battle in court cost both her and Tongue Creek Feeders. WCB is a win-win, and there's nothing to compare to that relative to a private insurance company, which will fight, especially, long-term disability and require the individuals to go to court and battle for every dollar they get. WCB is there. It's a standard approach. Rehabilitation is an integral part of it, long-term disability, and significant compensation for loss of limbs and life are there. So I certainly endorse that.

I think it's also important to say that we've had over 450 deaths in the last 20 years, and some of those could certainly have been saved if we had in place standards, if we had investigated those injuries and deaths, if we had learned from those injuries and deaths, if we had made the changes that were basic, fundamental changes to improve safety like the power takeoff that I described earlier, that wasn't covered because the farmer was used to having it uncovered. He knew how to be aware of it, but a new person that came onto the property and walked too closely to the power takeoff got caught up in it, and he was gone in minutes.

These are aspects of employment that we have all come to take for granted, and we have somehow accepted the fact that farm workers deserve less. That's no longer acceptable. I have heard from hundreds of Albertans over the 11 years that I've been doing this – hundreds of Albertans – both farming community and urban community, who say that this is unacceptable. I feel badly about those people who are feeding me if we cannot provide some of the basic supports for their well-being, safety, and children. So 17, 18 people a year die on our farms. It's been the same for 30 years. I think we can do better. B.C. cut their rate by 60 per cent after bringing in mandatory WCB and occupational health and safety standards.

Education programs are absolutely important, but they have not been enough. They are an important component; they are simply not enough. They do not respect, really, the onus of the employer to create the safest possible standards for their paid employees to work under. I dare say that it's part of creating a culture of safety. When you actually legislate something like seat belts, it suddenly becomes part of the norm in our society, that safety is important, so important that we actually legislate it. We become attuned to playing a part in assessing risk, assessing changes, and not, in fact, as some of these large industrial operations are doing, taking advantage of paid farm workers by having cheap rates or no rates, no compensation on the backs of those people that actually provide the essentials of life for the rest of us.

I feel very strongly about this. It's been, well, since the '60s, when Social Credit brought in these exemptions for farm workers because they didn't want to burden the family farm with extra expenses. That's no longer acceptable, Madam Speaker.

**The Deputy Speaker:** Calgary-Foothills.

**Mr. Panda:** Thank you, Madam Speaker. Thank you for allowing me to rise and speak to this amendment, which I feel is desperately needed to provide some clarity and consultation for all Albertans. Bill 6 has elicited an unprecedented response from Albertans, who are resoundingly speaking out against this ill-conceived legislation. For the last two weeks the Wildrose and other opposition parties have actively called on the NDP government to stop, take a breath, and take into consideration the tens of thousands of Albertans that

they represent, people who have been marginalized by Bill 6 and the total lack of discussion surrounding the changes to their way of life.

Madam Speaker, as the Official Opposition we've heard the concerns of the farmers, and we are here to represent their voice. The response we heard from one of the NDP members today I'm really shocked to hear, you know. When they call the amendment silly, in turn, they are calling the farmers silly. That's unacceptable. That's not fair to farmers.

**Mrs. Aheer:** It's disrespectful.

**Mr. Panda:** Very disrespectful.

Our office phones have been ringing off the hook, letters have poured in, and stacks upon stacks of petitions have been dropped off at our offices as Alberta's agricultural sector has fought to preserve its way of life. Wildrose heard constituents go to great lengths in both time and personal expense to actively participate in the legislative process and fight to have their voices heard overtop of the NDP's deafening cries to legislate first and then consult later. Our office has had constituents who have travelled eight hours, round trip, just to drop off a petition that they have had signed in the hopes that their hard work would make a difference in stopping the NDP from trampling over the farmers in this province. This extraordinary effort represents the lengths that tens of thousands of Albertans have gone to speak out against Bill 6 and protect their way of life because, Madam Speaker, that's exactly what these Albertans are fighting for.

Farming is not just a means of making a living. It is not a nine-to-five job. It's a way of life that cannot fully be comprehended by those who have not lived it. For the NDP, particularly those members representing the huge agricultural areas, to stand up for a bill that legislates on something they know little to nothing about without bothering to take their constituents' concerns seriously is arrogant and misguided. That's why they are calling them silly. Perhaps if they had taken the time to actually sit down with farmers and ranchers to hear their concerns and listen to their stories, they would have a leg to stand on.

Sadly, the NDP did no such thing and has consistently refused to engage with and truly listen to the Albertans most directly affected by this legislation throughout this entire process. To date government members have been conspicuously silent on this issue in this House, rarely standing to speak to this legislation, that affects so many of their constituents and that so many of their constituents are decidedly against. The silence on this issue, both from government members and in the election campaign, is deeply troubling.

This government seems bound and determined to ram this legislation through with no regard for those it will supposedly protect. All indications are that they have intended to do this silently and secretly. The people living and working in Alberta's agricultural sector deserve a level of respect not yet shown to them by this government. They're proud, hard-working citizens who work diligently day in and day out to provide for Albertans and play an essential role in our economy, and they deserve to have their democratic voices heard. On this side of the House, despite what the members opposite have claimed, we are in no way, shape, or form opposed to safety practices that protect all Albertans.

**11:30**

However, why is it that those very same people that are supposed to be protected were not consulted in this process? Is it not fair to say that those directly affected by Bill 6 would have a better idea of the best way to legislate and implement regulations on farms? Would

they not have a better idea of the core problems facing farmers and ranchers and some well-thought-out solutions to these problems? Do you not think they could bring a level of nuance and understanding to these very complex issues the government is now trying to discreetly untangle? Bill 6 is a mess of the government's own making, and it would have seen its errors had they bothered to ask.

The NDP's handling of this issue illustrates their lack of support for Albertans and their unwillingness to put the needs of everyday Albertans over their own skewed agenda. Madam Speaker, we were under the impression that this government would respect that the laws that govern this province should represent the will of the people and that our job as representatives of the people of Alberta should be as advocates for our constituents. Apparently, we were misinformed. If we were to take our cues from this government, perhaps our roles as MLAs would be to bully our way through legislation despite mass public outcry and to push our agenda regardless of whether or not it best represents the will and interests of Albertans. I encourage all those MLAs across from me to reconnect with the democratic spirit and to remember that their first allegiance is always to their constituents.

Madam Speaker, just because a party has the numbers within the Assembly to push a piece of legislation through does not make it the right thing to do. The speed and aggressiveness with which Bill 6 is being forced through are unacceptable. Although the NDP's tabled amendments are a step in the right direction, Bill 6 is still not a reflection of what Alberta's farmers and ranchers want. We are still left waiting for a number of complicated details to be hammered out, and the public is not prepared to lend this government the trust to do these things behind closed doors. The trust is spent.

Madam Speaker, this government needs to see past its political pride, set aside its ego, and send this bill to committee, where the critical stage of proper and meaningful consultation can take place. The Wildrose remains baffled as to why the NDP feels that they're under the gun to pass this legislation. They have nothing to lose and everything to gain by taking the time to comprehensively consult, specify, clarify, and then put forward legislation that reflects the specific wants and needs of those who it directly affects. I need to repeat this: the needs of those affected, the needs of those for whom we all govern, not the wants and needs of the bureaucrats writing or enforcing it.

Madam Speaker, farm safety is an integral concern, but imposing broad-based, vaguely defined omnibus legislation on this sector is not the solution. The solution is not, as the Premier claims, to let the government pass whatever they feel like and work on the regulations behind closed doors. Democracy suffers when decision-making cannot be exposed to the light of day. This is the people's House, and we have a solemn duty to uphold by ensuring that public debate happens in this Chamber and in committee.

This bill needs the input of industry leaders and all stakeholders. To pick just one of the many groups concerned with the planning and implementation of Bill 6, a spokesperson for the Alberta Barley Commission has panned the faulty construction of the legislation, saying:

In September, the four crop commissions issued a news release stating we were ready and willing to contribute to the discussion ... We were ready to provide input before the specifics of Bill 6 were announced to ensure farmers' best interests were being represented, unfortunately that process was never initiated.

So the NDP has not only alienated the 60,000 farmers and ranchers in Alberta but also the groups representing the interests of all farmers.

Madam Speaker, the NDP needs to send this Bill 6 to committee. They need to listen to the heartfelt pleas of Albertans and to take the time to hear their voices so that they can make informed choices. They need to nail down the nitty-gritty details of this legislation, that will determine the details of employment standards, OH and S, WCB, and to whom and how these entities apply. They need to put these specifics in place before this bill is passed, not after. There has to be some accountability, and it has to come now if the government hopes to salvage the trust they have so carelessly thrown aside. The people of Alberta deserve to be heard and supported, and that is exactly what the Wildrose will continue to fight for for as long as it takes.

I urge all members to use the legislative policy committees to their fullest extent and to work with, not against, Albertans to get this right. Thank you, Madam Speaker.

**The Deputy Speaker:** Questions or comments for the hon. member?

**Mr. Nixon:** Thank you very much. I thank the hon. member for his comments. I certainly appreciate it. I appreciate seeing an urban MLA standing up in the Assembly and speaking on behalf of constituents all across the province. I have a couple of things I'd like to talk to the member about, through you, Madam Speaker.

The first is just a quick story that I have. I used to run a lodge west of Sundre, about two and a half hours away from pavement. One day I was out riding my horse – I know that everybody is going to make fun of me. I do have a big horse, obviously. His name is Tank . . .

**An Hon. Member:** A Clydesdale.

**Mr. Nixon:** . . . and, yes, he is half Clydesdale.

I was out riding with my family near the Ya Ha Tinda area in my riding, which is where the Brewster brothers started their organization. Of course, now if you go to Banff, you'll see nothing but buses, but a long time ago the Brewster brothers were breaking horses outside of Banff, and Ya Ha Tinda is where they train all the horses for the rangers. But that's not part of this bill, of course, Madam Speaker. We were riding, and we ran into a cowboy on a horse. Now, what happens out west of Sundre, all through that area, is that cattle free-graze during the summer. Ranchers own allotments, and they allow their cattle to graze in those areas, and then, of course, these guys have to work the cows through the summer and move them to different grass spots, make sure that they're cared for.

Now, this cowboy already had one rope on the cow, one rope on his horse. The cow was clearly hurt. You could tell that something was going on with the cow's feet. Let me tell you, Madam Speaker, that the skill of the cowboy and the horse – the horse was amazing as well. We stopped to watch. He's got this one rope on there, and he has to get off his horse, manage to rope the back feet. He's got to tie another rope to a tree. We're on the side of a mountain. We're two and a half hours away from pavement. It's amazing, the skill of the horse and the skill of the cowboy and all of the work that had to go into getting this cow secure so that it couldn't hurt itself, couldn't hurt the horse, couldn't hurt the cowboy, of course.

When he had got that all done, he then, on the side of the mountain, had to measure the exact medicine that that cow would need for what was going on with its hoofs and then, you know, give the cow the medicine and then, miraculously, let the cow go without anybody getting hurt. I know that I couldn't have done it. I can tell you that the skill sets of both the cowboy and the horse were spectacular.

The first question that I have – and I'll have two questions for the member – how could you regulate, legislate that without talking to somebody who does that for a living? To me, I don't understand how you could even begin that.

The other thing, Madam Speaker, is that I was back in my riding this weekend, and I spoke with a local feedlot just outside of Sundre. This feedlot had about 25 employees, T4 employees, definitely not family members. They would definitely follow this legislation that we have here today. This feedlot puts a significant amount of money into the economy both from what it purchases in the Sundre area as well as, of course, in a small town, by employing 25 employees in the area, so an important employer. I spoke to these workers about what kind of insurance they have while they work there. They went through their insurance plan that they have, and this insurance plan protected them 24 hours a day. So even when they were in their beds, they were protected under the insurance plan that their employer had provided. When they were on vacation with their families, they were protected by this insurance plan, that their employer provided, a good insurance plan.

**11:40**

Now, in talking to their employer afterwards, if WCB comes in with this legislation – and we know that this government is getting ready to time allocate and force this on people – that employer will have to remove that insurance for those people. So now we've taken these people, that have an excellent insurance plan, and we have forced them into WCB. We have forced WCB, which this Premier has said is terrible, on an entire segment of our society. How can we take something that the Premier herself has acknowledged is broken and force that onto them?

The other thing, Madam Speaker, through you to the member: in talking further with this employer, if this legislation comes through, he's worried about the union side of the stuff. He's almost 70 years old. He's been running this feedlot for a long time. He's just going to shut down. That's 25 employees without a job because this government wants to pass a bill without consulting people. Now, does that seem fair?

I don't think that you think that's fair, Madam Speaker. [interjections] You can hear the government members talking away there, laughing about this. You know, there were people in the gallery today crying. This is going to affect our communities. This is going to affect the people that live there, terribly. There are kids back home crying – crying – because their parents are scared about what they're doing, and they find that silly. You can hear them there, laughing and heckling away about that, about the people in my community that are suffering or scared. [interjections] See? There they go again. It doesn't have to be . . .

**The Deputy Speaker:** The time for 29(2)(a) is finished, hon. member.

I will recognize the hon. Member for Livingstone-Macleod.

**Mr. Stier:** Well, thank you, Madam Speaker, and good evening, everyone. It's a pleasure to speak tonight to this amendment that's been proposed, to send this to committee, as it should. That's where I think that this should go. There's an opportunity there to finally – finally, finally – have some full, robust consultations and get a lot of this stuff discussed with the people who will be most affected before this bill becomes law, and that's very important. It's before the bill becomes law.

I'm a guy that's been raised on a family farm, and I'm a Member of this Legislative Assembly, and I happen to represent one of the most pristine areas in all of Alberta, with some of the greatest, choice farm- and ranchland that there is. I understand therefore the

unique lifestyle of farming and ranching and why it simply cannot be compared to other jobs.

Madam Speaker, farming and ranching provided this province the very foundation on which its greatness was built. My own family came up from the States and settled here when the bull trains came up across the border. Having been raised in a pioneer family, I have a great appreciation for what this means. There was an attitude back then. It was like a can-do attitude of a welcoming nature. They had an independent outlook. They had an unrelenting work ethic and a willingness to lend a helping hand no matter who it was. Neighbour helping neighbour: that's what living in the country is all about. You can trace their roots back to the farmers and ranchers who settled way back, way back in the early eras of the shaping of the United States of America and prior to that, when people came across from Europe. Whether or not an Albertan was raised, though, in the farming and ranching lifestyle or lives in a rural or urban community today, we have been influenced and shaped by the heritage of those people that I just spoke about, and it's the heritage of farmers and ranchers predominantly.

Before becoming a member of this Chamber, I was privileged, actually, to be a municipal councillor for the MD of Foothills. While serving on that council, I was fortunate to be part of the decision-making process, of course, and the most important part of that decision-making process was asking the public what they thought on various matters. That's right. Public consultation: what a concept, huh? You know, it was done in front of constituents. We had meetings all over the place, at various halls all over our municipality, regarding numerous, numerous issues that came about. We had all kinds of people coming to talk about everything from subdivisions to development to development permits to feedlots, all kinds of different ideas and projects that were coming forward. Not only was that consultation important; it is mandated in the Municipal Government Act, actually.

Think about that. A council has to consult with their constituents. What that does is that it prevents the council from ignoring public input and ramming through legislation without allowing for consultation. That's what we're trying to do here, and that is wrong. It was common sense when I was on council, and it remains common sense today. It's for that reason that I'm supporting this amendment. It's the only thing that makes logical sense. Why wouldn't you do this? Try to tell me what the logical reason is for not putting this to committee and having a public consultation.

You know, I was on a committee a few years ago, the Standing Committee on Alberta's Economic Future. We went around this province to consult on pensions. Our committee went all over this province and went to every major centre and consulted with all the people that were concerned about pensions. It was crucially important. It was vital. Some of the members that are now on the opposition side served on that committee with me. The Minister of Education is smiling right now. He recalls those meetings, I'm sure.

This is an important piece of legislation, and it should be made only after a series of these kinds of public consultations that I've just described. They're not just information sharing but information gathering. That's what it's really about. If the purpose of this bill is ultimately to improve safety for farm workers, then, for goodness' sake, the first step can't be legislative. It must be consultative. If this government had consulted that way, they would have known that the key to improving safety is educating, not legislating. By holding thorough consultations with stakeholders, we not only allow for information gathering, but we allow for stakeholder buy-in and greater ownership of the implementation of those changes.

As the member representing my constituency, one of my many responsibilities includes participating in some of the committees

and meetings that we hold down in the south, in Lethbridge, once a month. One of them is the highway 3 committee with the mayors and reeves and also the major mayors' and reeves' meetings for southwest Alberta, where we continue to discuss how to encourage new industries to consider the corridor as a place to locate. Smart program development can only occur when public consultation takes place to ensure that major changes are given exhaustive review, to ensure we unlock the full potential of that community. So we're meeting every month to discuss how we can improve things. We're meeting with people from the public, people from the various government departments to try to improve the economic capabilities of our area.

In the past, you know, major decisions such as the installation of power lines and the South Saskatchewan regional plan, in fact, involved significant public consultation. Step by step, at every stage of the decision-making process, consultations were done by the previous government. There were opportunities for all stakeholders, including business owners, locally elected officials, and the general public, to ensure that they were properly informed at each and every stage.

Contrast that with what we're trying to do here today with this bill. Contrast that with this government's action on Bill 6, where it is clear that not only was the normal public consultation process not followed; it was purposely controlled and sometimes avoided altogether. Now, I know that in my own riding no meetings were held by the government. In a riding adjacent to mine, Little Bow, no hearings were held. You know, that's amazing because that is one of the largest farming areas in all of southern Alberta. None were held.

I'm not the only one in this Chamber that believed at one time in conducting robust consultations, actually, and I've got several examples I'd like to read tonight. On May 14, 2013, my hon. colleague the current Minister of Economic Development and Trade said:

A great relationship starts with trust. It starts with, well, building trust and having a conversation, a conversation or multiple conversations which lead to consultation, where they are equal partners with an equal voice at the table.

Amazing. He added further that

discussions and notification is not consultation.

Well, imagine that.

The day before, May 13, 2013, the same minister also stated in this Chamber:

First and foremost, the greatest concern that I'm hearing – I mean, there are several, and it's difficult to number them or prioritize them, but it all boils down to the fact that there was a lack of consultation and there was a lack of engaging in meaningful dialogue with the very groups that this bill is going to impact and govern.

Imagine that he said that then.

**11:50**

The minister wasn't the only one of my hon. colleagues across the aisle who mentioned these kinds of things. The current Premier, in fact, spoke on May 8, 2013, and declared:

It deserves to be given full debate . . . with genuine consultation in an open and transparent fashion, where we can all see what everybody has to say about the components of this.

Of course, she was referring to the bill she was discussing at that time.

In addition, Madam Speaker, 18 months ago the Minister of Infrastructure and Minister of Transportation, who was then a member of the fourth party in opposition, stated that there's been no consultation with workers directly affected, and there's no negotiation, just more dictation.

Then again on April 23, 2014, rising in support of his caucus colleagues, the Minister of Education stated:

If you're only consulting and then you bring the hammer down in a very short time period after, then that consultation is nothing but adding insult to injury from the process that's been changed so radically in the first place.

Well, I'm not sure if the Minister of Education tonight remembers that, but there's definitely some precedent set here, where members on the other side definitely supported what we're advocating tonight, to send this bill, with this amendment, to the committee.

More recently, actually, the Minister of Human Services also spoke of the importance of consultation when he said just three weeks ago:

We are committed to consulting extensively. If there is anybody who was left out who approached you, I would invite you to bring forward the names of those stakeholders, and I will pass it on to the consultation team so that they can consult more inclusively and more broadly to get it right.

A consultation team. Think of the concept over there. A consultation team might be a great idea. I guess the Human Services minister thought it was at that time.

Madam Speaker, I'm starting to feel like I'm the ghost of Christmas past here, you know. It's like Jacob Marley scolding a cold, grumpy, impudent, know-it-all Scrooge, who cares little for the concerns of his peers and dependants. I remember that he said: "I wear the chain I forged in life. I made it link by link, and yard by yard; I [secured] it on of my own free will, and of my own free will I wore it." Scrooge's associate, Jacob Marley, tried fruitlessly, I might add, to get Scrooge to see the error of his ways and become the person everyone wanted him to be.

This government still has that chance, Madam Speaker. By sending this bill to committee, holding robust, thorough, and exhaustive consultations with farmers and ranchers, this government can attempt to regain the trust of Albertans before it is too late and in three and a half years' time they, too, wear the chains of irrelevance that the current third party must wear.

My office has received hundreds and hundreds of letters and phone calls raising concerns about the lack of any meaningful consultation process. It is my hope that this government takes a step back for a thorough review by sending this bill to committee prior to putting this new legislation in place. It would certainly make for a good Christmas miracle.

**The Deputy Speaker:** Strathmore-Brooks.

**Mr. Fildebrandt:** Thank you, Madam Speaker. On the topic of consultation the Member for Livingstone-Macleod and I share a special bond with the Minister of Education. I remember that in I think it was roughly August 2014 he referred to a committee that travelled around the province. There were controversial bills on pension reform, and it was one of the very few times, actually, in my old role that I sided with the PC government of the day against the Wildrose. It created some headache for me, but I thought it was actually a reasonable bill. The government had taken some flak for it, rightly or wrongly, and under intense pressure from the NDP, then in opposition, the government did the right thing, which it should do with all bills, reasonably, at least, and sent it to committee.

The committee travelled around the province, and I remember going to be the lone witness to testify in support of the bill in a room with at least a few hundred screaming union activists. It sounded, actually, a bit like the House today. It was a rather hostile atmosphere, that I actually found quite enjoyable for reasons I'm not quite sure of. It was a chance for members of the government and the opposition to travel the province, to listen to members. I

remember that before I went in, the Minister of Education took me aside and warned me not to make my remarks too incendiary as the crowd might not receive them very well.

**Mr. Loewen:** Oh, you would have never done that.

**Mr. Fildebrandt:** I've never made incendiary remarks with the intention of getting a rise out of the unions.

In any case, it was a fruitful exercise that the Minister of Education was on, that the Member for Livingstone-Macleod was on and perhaps a few other of the few veteran members in this House. Perhaps the Member for Livingstone-Macleod can talk about that experience where they went out and listened to Albertans with their experience and their views on a particular piece of legislation.

**The Deputy Speaker:** The hon. member.

**Mr. Stier:** Well, thank you. Thank you, hon. member, for the suggestion and the question and the comments. Yes, I do fondly remember with great enthusiasm one evening that I believe was actually in Calgary at the Coast hotel. We had a fairly robust discussion. A fairly large number of people were speaking with great, great, great levels of concern and volume regarding the Member for Strathmore-Brooks' comments that evening, in fact, with respect to pensions and them being unsustainable if I recall.

Certainly, we did on Alberta's Economic Future Committee embark on a number of ventures, and that was only one of many where we went out and talked to a lot of people about a lot of things. I do remember going to Grande Prairie for that same reason, with that same committee, and to Fort McMurray, Lethbridge, Medicine Hat, Calgary, Edmonton. It was a very well-done, I think, exercise in trying to garner the support from the people that wanted to support what was going on and to also get great feedback.

In other events during the time when I was on that committee we also worked on, believe it or not, high-speed rail. We spent an awful lot of time in committees going around talking to people about the potential for high-speed rail in Alberta. I thought that was a very interesting and rewarding venture as well. Another one that comes to mind in that same regard is the long-time duration of meetings and the work that we spent in looking into the best way to actually develop other forms of electricity in Alberta, and that would be with more hydroelectric projects. It was a great time and a great way to get the information. We had I don't know how many different companies and organizations coming into these committees to provide us with information.

Madam Speaker, I think it's the kind of thing that this government again needs to look at seriously. There's nothing wrong with sending it to committee. There's absolutely no reason in the world not to do it. There's no valid justification not to proceed in that manner.

I would urge the members of this House to please vote yes to this amendment. Thank you.

**The Deputy Speaker:** Any further questions or comments?

Seeing none, I will recognize the hon. Member for Little Bow.

**Mr. Schneider:** Thank you, Madam Speaker. I rise today to speak against Bill 6 and in favour of sending it to a legislative policy committee, the Standing Committee on Resource Stewardship.

I spoke against this bill in second reading. Since that time there's been another rally out here on the steps of the Legislature and several town hall meetings against this bill, at least one of which was held in an NDP riding. Even the fact that a couple of these town halls were held in NDP ridings, organized by someone other than

the NDP MLAs in that riding, who haven't been – well, I want to say that they haven't been listening. I hate to say that, but I keep getting their e-mails and their calls, so even if those people didn't organize those meetings for farmers and ranchers, it didn't slow down the questions from the farmers and ranchers. They absolutely and completely do not understand why their government refuses to listen, refuses to tap the brakes on this piece of legislation, refuses to give any inkling of an answer, even from the cabinet ministers. This is a slap in the face to the questions that are being asked by the farmers and ranchers.

12:00

You know, Madam Speaker, all parties within these walls, within this room, that is considered the centre of democracy in Alberta, likely hold some or all of the same values dear: freedom, equality, diversity, tolerance, and respect. But when we look at what is happening with this intolerable bill that's being shoved down the throats of voters, voters that represent one of the most established and important industries in this province, I can't help but think that these values are just not being represented in this House.

I want to quantify the importance of this issue before us. Next to oil, gas, and petrochemicals, crop and livestock represent one of the province's biggest exports, and as global demand for food rises, these markets will continue to grow. The voters and constituents that represent this portion of Alberta's economy, which, of course, is agriculture, that is destined to grow exponentially as demand across the world rises, wonder out loud: why is it that this government is lacking in one integral part of the human condition, that being compassion, that would make it abundantly clear that the people in this province who are charged with feeding the world actually matter to this government, matter enough to listen? They wonder why this isn't part of the Alberta government's list of values, at least when it comes to them.

It's one thing to listen, but as we've seen here, there's no guarantee that the concerns will actually be addressed. It's entirely another to actually take what you're hearing and let it affect your decisions, to show respect for the people giving you these suggestions by involving them in that decision-making process. The part that is missing, Madam Speaker, is compassion.

It's compassion in this situation. A compassionate government would listen, in a real sense, to people that take the time to come to town hall meetings. A compassionate government and its representatives would answer questions that are put forth by voters and constituents and give reasonable answers rather than simply saying: I can't answer that. I think that Albertans are actually quite concerned that their government is showing no compassion for a portion of the population that wants some answers, a portion of the population that's willing to give up days of work or have a neighbour help them by doing their chores so that they can make their way to a consultation meeting or a town hall meeting to try to get some answers to a piece of legislation that is about to change their lives.

I just want to read a few lines from a letter I've got here, Madam Speaker. I'll be happy to table these letters tomorrow. I have a few I want to read from.

In her election platform, Premier Notley promised this: "We will build standards based on independent science and international best practices, designed transparently in careful consultation with Albertans."

In her speech on election night, she promised to "always work to keep your trust."

Repeatedly we have been promised transparency and consultation . . .

Please hear this. Farmers don't want a few exemptions or amendments. They want consultation on issues that run deeper in order that they can feel secure that you understand all the consequences of this legislation that they can clearly see.

I'm reading verbatim.

At the moment they feel that you are throwing the small farms of Alberta on some sacrificial pyre and not one of them understands why. What really is the agenda here?

Regarding WCB: It is a system that isn't working well in Alberta. Please fix the system before mandatory inclusion of the agricultural sector. No farm or ranch, no employer or employee will say no to a system of protection and compensation that works!

So how do we answer this e-mail from a constituent? She wants consultation. I just want to define consultation, Madam Speaker. The NDP government has held several what they call consultation meetings, that were deliberately held with, well, far too few seats for the folks that were expected to arrive. The consultation meeting in Okotoks, I understand, was actually held out in a parking lot. I understand that the minister stood on a chair, stood on something, and hollered for over two hours.

I just want to read from an e-mail that I received from a constituent that was at that meeting.

I was at the Okotoks Town Hall meeting when the question was put forward to your Agricultural minister and your Jobs, Safety, Training, Labour minister about the intent of Bill 6 to override any existing legislation at any government level, giving the current provincial government the authority to install wind turbines and solar panels on farm land, with or without land owner consent. There are two huge concerns with this component of Bill 6 but I will only touch on one. You say Bill 6 is all about safety, how can you possibly say that when other jurisdictions here in Canada and in other countries have deemed wind turbines a health hazard? Wind turbines are very controversial . . . Until you can prove beyond a shadow of a doubt that wind turbines pose no threat to the farm family/worker's health, you are contradicting yourself in saying Bill 6 is all about safety.

In your haste to pass this bill because of safety concerns, you are not allowed to pick and choose which safety issues are worth protecting the farm family and worker from. Either our safety is the utmost importance or something else is . . .

We simply do not trust you or your word that you will make amendments after the fact. You stated that you talked to stakeholders, yet farmers deny you contacted them. You have access to land titles and it would have been very easy for you to send out a questionnaire/survey to every farmer in this province. Another example leading to distrust is you said during your campaign that "not in your watch" would we have a PST. Yet you introduce a Carbon tax. I say if it walks like a duck, quacks like a duck, it must be a duck. I don't care what name you give it, you are trying to add an additional tax that you said you wouldn't. We don't trust you.

You know, Madam Speaker, it's not that there isn't some compassion shown by this government. We sit in this Chamber day after day, talking about passing bills to the segments of the population of this province that require some compassion. Each group we legislate for pays taxes. They buy homes, they buy vehicles, and on and on. They contribute to the economy of the province, and members from both sides of this House show compassion for those affected by our legislation. We all try to, anyway. But that isn't happening in this case. Certainly, the population numbers of farmers and ranchers could be considered a small segment of the voters and constituents of Alberta. That would be fair.

But, as I've stated earlier, they are obviously monster contributors to the economy. Yes, it is fair to say that economic contribution shouldn't be the only guiding light as to how you treat

any segment of the population – you'll get no argument from me there – but I guess the question then becomes: why is this agricultural segment of the population not being treated with the same compassion as any other small segment of the population that's been dealt with? The government side of this House is definitely not showing any compassion for these folks, or people wouldn't be gathering on the steps of the Legislature.

I have another letter here, Madam Speaker.

The farmers protesting this bill are being described as against safety and regulations. This is not true.

Once again, I am trying to read these verbatim.

We are asking for the legislation to be written . . . yup, they are trying to pass it without having any of the details, telling us "trust us, it will be fine." When we ask questions about how it will affect our day to day lives, we are either given no answers or given answers that change every day . . .

We are asking for consultation. We're not asking for every farmer to be asked their opinion. We are though asking for a governmental party . . . to meet with [farmers and listen to them.]

We are asking for safety . . . yup. We are not opposed to protecting farm workers and insuring that someone working is not in unnecessary danger. What we are trying to create is a safe environment for everyone. After all, most farm work is done by friends, family and neighbours. Their safety is a huge priority. We just ask that it takes into account how each different level of farming goes about business . . .

We are asking for the ability to decline WCB coverage. WCB coverage has always been available to farmers but because it was optional it gave us the ability to research our own coverage. What farmers learned is that more wide ranging, industry specific coverage is available and most of the time at a lower cost. Why should we have to settle for less or pay extra to have both?

**12:10**

Just a line or two from another e-mail:

This bill covers too many aspects, with too little information on every aspect. It needs to be sent to committee, or dissolved and re-tabled as separate bills for the multiple areas it covers, with increased detail and information regarding each and every area. The NDP is asking citizens of Alberta to trust what they may do in the future, when they refuse to take the time to listen to us now. Consultation after the Bill has been passed is unacceptable. The NDP as a government has a responsibility to be informed, by their own consultative process – not those done by past governments, which is the leg they continue to stand on as their reasoning for pushing this bill through.

The NDP's platform during the Election was for Transparency in Government. So far, the NDP have failed Albertans with their back-door negotiations . . . and hidden agendas!

Stop this bill and take the time required to do comprehensive consultation on each and every point of this bill – not slap a Band-Aid on one concern in hopes that the public and citizens of Alberta will accept and be quiet.

I was privileged to be part of a town hall meeting this weekend in Bassano. We had four MLAs from the Official Opposition as part of the meeting, with about 500 farmers and ranchers that had a ton of questions. The agriculture minister was in attendance at this meeting as well and sat with the opposition MLAs in front of this crowd. At the end of the meeting I shook the minister's hand and told him that I thought he showed good intentions by showing up to a meeting that his government hadn't organized for him. Unfortunately, that meeting was indicative of the meetings that have been held across the entire province, meetings that have included cabinet ministers of several different portfolios.

Madam Speaker, there is a common theme from all these meetings, and that theme is that everyone that leaves these

meetings is more frustrated than when they showed up for the meeting because the answers that are given are, at the very least, canned answers, answers that don't have any meat in them, answers that tend to make the persons querying feel that their brand new government has no intention of listening to their concerns about their proposed legislation. Do you know what they're told? They're told time after time: I'll take this back to my colleagues. Now, that's not an answer, especially when it is stated time after time in a two-hour meeting. Furthermore, the feedback certainly does not seem to be making it back to their colleagues as promised if the Premier's and the NDP government's cavalier attitude is any indication.

I have another couple of lines from another e-mail.

If it appears that the rural community is over reacting to Bill 6, please consider this. We react because we feel threatened by too much regulation . . . Our industry is already heavily regulated by the unpredictable things like weather, animals, markets . . .

The issue I have is with the NDP's attempt at sneaking such a bill through without any consultation or even comprehension of the bill, particularly when we are told some amendments might be done after the bill is firmly in place. The NDP has done nothing yet to earn our trust so we can't trust the NDP on this one either.

Forty five days to pass a bill without proper consultation is wrong when it will affect many Alberta futures.

I sincerely hope that for my constituents and the constituents of the NDP MLAs, to be perfectly honest, that won't return calls or letters with regard to this subject, and for those constituents that feel compelled to send those letters to me or other members of the opposition, something is being brought back to the colleagues of this government, that has been referred to in about every consultation.

**The Deputy Speaker:** Any questions or comments under 29(2)(a)?  
The hon. Member for Lacombe-Ponoka.

**Mr. Orr:** Yes. I just wonder if the Member for Little Bow has any further comments he would like to add to his discourse.

Thank you.

**Mr. Schneider:** Madam Speaker, I hope that every question that's been asked of this government by farmers and ranchers in those meetings is being brought back. But do you know what the problem is? The problem is that the people that are asking these questions in these meetings, that they aren't getting reasonable answers to, do not trust that this government is listening to anything they're saying, let alone bringing information back to Edmonton, to their colleagues, for further study or examination that would influence the outcome of Bill 6.

Another couple of lines from a different e-mail:

This intrusive legislation that the government has produced without any consultation whatsoever with the people it will affect is not only harmful to farm safety; it is just plain wrong. This government has lost any trust that they might have had with the people of Alberta by deliberately misinforming them regarding this flawed bill. I implore you to please table this bill and send it to committee or defeat it altogether until such a time as the government has consulted with the people it affects.

A few more lines from a different one, Madam Speaker:

You and your government should be ashamed of yourselves, saying that you are concerned about Farm Safety while pushing through a bill that your party would have fought against during the old regime because of its clarity. There has been no education, limited consultations regarding the proposed changes in this over reaching bill. Change never is achieved with laws; only education can effect change. I propose that you kill Bill 6 and do the

appropriate education and consultations and re-do the proposed changes with multiple bills.

With regard to your consultation in Okotoks on December 2, 2015, I was shocked at how you treated the people there; your government did not provide a safe environment to consult in. Holding it outdoors without prior knowledge meant that many were not dressed appropriately, all because your government didn't reserve a larger venue . . .

Stop and think about what your government is doing and how it will affect the family farm.

Just one more letter, a couple of lines from it. This was sent to every MLA, so if you haven't read it – well.

As an agricultural producer in southern Alberta I am e-mailing you to ask that you slow the process down for Bill 6 so that it can be carried out in a way that encourages open communication, engages industry stakeholders, allows for industry input and provides more time for details to be formulated and presented.

I am concerned that by rushing this Bill through without proper study and agricultural producer involvement the Bill will lack proper design and will lack supported implementation. The method by which the Alberta Government has chosen to push this Bill through is alienating the agricultural community and dividing the province. I have always been a proud Albertan but I am saddened by the lack of respect the Alberta Government is showing this industry.

Bill 6 has serious impacts on how farmers operate their business and how they work with their families on the farm. All I am requesting is that the current Alberta Government asks the agricultural industry for input before the Bill is passed to ensure proper and complete legislation and regulations are created.

For these reasons I ask that Bill 6 be sent to the legislative policy committee for a proper consultation to be done and answers provided throughout the consultation process. Only in that way can we help the NDP improve the bill and get it right or, failing that, move to kill the bill.

Thank you, Madam Speaker.

**The Deputy Speaker:** Any further comments under Standing Order 29(2)(a)?

If not, then the Member for Strathmore-Brooks.

**Mr. Fildebrandt:** Thank you, Madam Speaker. It's been a long and extensive evening, that I look forward to continuing tomorrow morning. I would move to adjourn debate for the night.

[Motion to adjourn debate carried]

**Mr. Bilous:** Madam Speaker, I move that we adjourn until 9 tomorrow morning.

[Motion carried; the Assembly adjourned at 12:19 a.m. on Wednesday to 9 a.m.]





## Table of Contents

### Government Bills and Orders

#### Committee of the Whole

Bill 8 Public Education Collective Bargaining Act .....	987
---------------------------------------------------------	-----

#### Third Reading

Bill 8 Public Education Collective Bargaining Act .....	1000
---------------------------------------------------------	------

Division .....	1007
----------------	------

#### Second Reading

Bill 6 Enhanced Protection for Farm and Ranch Workers Act .....	1008
-----------------------------------------------------------------	------

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