



Province of Alberta

The 29th Legislature  
First Session

# Alberta Hansard

Wednesday evening, December 9, 2015

Day 31

The Honourable Robert E. Wanner, Speaker

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

First Session

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Jabbour, Deborah C., Peace River (ND), Deputy Speaker and Chair of Committees  
Feehan, Richard, Edmonton-Rutherford (ND), Deputy Chair of Committees

Aheer, Leela Sharon, Chestermere-Rocky View (W)	Malkinson, Brian, Calgary-Currie (ND)
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Anderson, Wayne, Highwood (W)	McCuaig-Boyd, Hon. Margaret, Dunvegan-Central Peace-Notley (ND)
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Barnes, Drew, Cypress-Medicine Hat (W)	McKitrick, Annie, Sherwood Park (ND)
Bhullar, Manmeet Singh, Calgary-Greenway (PC)	McLean, Stephanie V., Calgary-Varsity (ND), Deputy Government Whip
Bilous, Hon. Deron, Edmonton-Beverly-Clareview (ND), Deputy Government House Leader	McPherson, Karen M., Calgary-Mackay-Nose Hill (ND)
Carlier, Hon. Oneil, Whitecourt-St. Anne (ND)	Miller, Barb, Red Deer-South (ND)
Carson, Jonathon, Edmonton-Meadowlark (ND)	Miranda, Ricardo, Calgary-Cross (ND)
Ceci, Hon. Joe, Calgary-Fort (ND)	Nielsen, Christian E., Edmonton-Decore (ND)
Clark, Greg, Calgary-Elbow (AP)	Nixon, Jason, Rimbey-Rocky Mountain House-Sundre (W), Official Opposition Whip
Connolly, Michael R.D., Calgary-Hawkwood (ND)	Notley, Hon. Rachel, Edmonton-Strathcona (ND), Premier
Coolahan, Craig, Calgary-Klein (ND)	Orr, Ronald, Lacombe-Ponoka (W)
Cooper, Nathan, Olds-Didsbury-Three Hills (W), Official Opposition House Leader	Panda, Prasad, Calgary-Foothills (W)
Cortes-Vargas, Estefania, Strathcona-Sherwood Park (ND)	Payne, Brandy, Calgary-Acadia (ND)
Cyr, Scott J., Bonnyville-Cold Lake (W), Official Opposition Deputy Whip	Phillips, Hon. Shannon, Lethbridge-West (ND), Deputy Government House Leader
Dach, Lorne, Edmonton-McClung (ND)	Piquette, Colin, Athabasca-Sturgeon-Redwater (ND)
Dang, Thomas, Edmonton-South West (ND)	Pitt, Angela D., Airdrie (W)
Drever, Deborah, Calgary-Bow (Ind)	Renaud, Marie F., St. Albert (ND)
Drysdale, Wayne, Grande Prairie-Wapiti (PC), Progressive Conservative Opposition Whip	Rodney, Dave, Calgary-Lougheed (PC)
Eggen, Hon. David, Edmonton-Calder (ND)	Rosendahl, Eric, West Yellowhead (ND)
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Fildebrandt, Derek Gerhard, Strathmore-Brooks (W)	Schmidt, Marlin, Edmonton-Gold Bar (ND), Government Whip
Fitzpatrick, Maria M., Lethbridge-East (ND)	Schneider, David A., Little Bow (W)
Fraser, Rick, Calgary-South East (PC)	Schreiner, Kim, Red Deer-North (ND)
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Gotfried, Richard, Calgary-Fish Creek (PC)	Smith, Mark W., Drayton Valley-Devon (W)
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Hanson, David B., Lac La Biche-St. Paul-Two Hills (W), Official Opposition Deputy House Leader	Stier, Pat, Livingstone-Macleod (W)
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Jansen, Sandra, Calgary-North West (PC)	Taylor, Wes, Battle River-Wainwright (W)
Jean, Brian Michael, QC, Fort McMurray-Conklin (W), Leader of the Official Opposition	Turner, Dr. A. Robert, Edmonton-Whitemud (ND)
Kazim, Anam, Calgary-Glenmore (ND)	van Dijken, Glenn, Barrhead-Morinville-Westlock (W)
Kleinstuber, Jamie, Calgary-Northern Hills (ND)	Westhead, Cameron, Banff-Cochrane (ND)
Larivee, Hon. Danielle, Lesser Slave Lake (ND)	Woollard, Denise, Edmonton-Mill Creek (ND)
Littlewood, Jessica, Fort Saskatchewan-Vegreville (ND)	Yao, Tany, Fort McMurray-Wood Buffalo (W)
Loewen, Todd, Grande Prairie-Smoky (W)	
Loyola, Rod, Edmonton-Ellerslie (ND)	
Luff, Robyn, Calgary-East (ND)	
MacIntyre, Donald, Innisfail-Sylvan Lake (W)	

**Party standings:**

New Democrat: 53    Wildrose: 22    Progressive Conservative: 9    Alberta Liberal: 1    Alberta Party: 1    Independent: 1

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Irfan Sabir	Minister of Human Services
Lori Sigurdson	Minister of Advanced Education, Minister of Jobs, Skills, Training and Labour

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Horne	Woollard
Kazim	

## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, December 9, 2015

[The Speaker in the chair]

**The Speaker:** Please be seated.

The minister of economic development.

**Mr. Bilous:** Thank you very much. I rise to request through you, Mr. Speaker, unanimous consent to revert to introductions.

[Unanimous consent granted]

### Introduction of Guests

**The Speaker:** The Member for Edmonton-Gold Bar.

**Mr. Schmidt:** Well, thank you, Mr. Speaker. It's my pleasure to rise this evening and introduce to you and through you to all Members of the Legislative Assembly a number of guests representing what I hope will soon be the newly named King's University, located in my riding of Edmonton-Gold Bar. My guests have lobbied tirelessly for this name change, and they are very excited to be here to witness this happening here tonight. I know that this bill has come up for third reading on very short notice, and I deeply appreciate the efforts they have made to rearrange their schedules so that they could join us in the gallery this evening.

I will introduce them one by one, and I ask that they rise as I read their names. We've got Dr. Melanie Humphreys, who is the president of King's University; Mr. Bill Diepeveen, who is the chair of the board of governors; Dr. Henk Van Andel, who is president emeritus; Jim Visser, retired board member; Rick Mast, current board member; Dan VanKeeken, vice-president of advancement; Ellen Vlieg-Paquette, vice-president, administrative and finance; Dr. Gerda Kits, professor; Dr. John Hiemstra, professor; Dr. Peter Mahaffy, professor; Cheryl Mahaffy; Dr. Robert Bruinsma, retired professor; Louisa Bruinsma; Catherine Kuehne, director of marketing; Liam Kachkar; Carol Moreno, manager, alumni relations; Nik Vander Kooy, co-ordinator of marketing; Abigail Douglass, student association president; Melissa Grounds, a student at King's; Elyse Abma, student; Abbi Hofstede, another student.

I ask that the Assembly now please give the traditional warm welcome of this Assembly.

**The Speaker:** Welcome.

### Private Bills Third Reading

#### Bill Pr. 1

#### The King's University College Amendment Act, 2015

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Schmidt:** Well, thank you, Mr. Speaker. I'm glad that I don't have to keep our audience waiting.

I'm pleased to rise to move third reading of Bill Pr. 1, The King's University College Amendment Act, 2015.

This bill, if passed, will change the name of King's University College to King's University. It also formally recognizes the ability of King's to grant baccalaureate, master's, and doctoral degrees. Some of the language is modernized, substituting the word "employees" for "servants," which no doubt will boost the egos of the employees of King's but will undoubtedly be a blow to the ego of the president now that she no longer has servants to supervise.

King's occupies the building on 50th Street in my riding that used to be known, I believe, as the Capilano Hotel. You can still see some vestiges of the old hotel in the building. The student dormitories are the old hotel rooms, complete with the original orange shag carpeting. When I took a tour of the building, my hosts were a bit embarrassed by the orange carpet, and I told them not to worry; I really like orange. I'm sure that in the days when it was still the Capilano Hotel, there were more than a few young men and women who received a bit of an education in some of those hotel rooms.

King's has been providing a formal education to young men and women on that site since 1979 and has been formally granting degrees since 1987.

King's is a Christian university, and its mission is "to provide university education that inspires and equips learners to bring renewal and reconciliation to every walk of life as followers of Jesus Christ, the Servant-King." To get an idea of how King's carries out its mission, I asked Melinda Steenbergen, a friend of mine and a ministerial assistant to the Minister of Municipal Affairs, to share her experience at King's. She shared with me a letter that I'd like to share with you, Mr. Speaker. She says:

King's is a caring community – I applied there as my mom was sick, and I needed a last minute transfer to Alberta to be close to her. When my Mom died, I was embraced by the professors, staff, and students. This is a small community that really nurtures and supports its students. I'll always be grateful to King's for the support given to me during a difficult time . . .

King's is academically rigorous – All of my professors had PhDs, and spent considerable time with me in small classes and individual studies . . .

King's gave me a practical education – As a major in Political Science, History, and Economics, I was required to produce briefing notes and policy presentations, and to debate social issues and apply my studies to current issues. I graduated as someone who could hit the ground running as a public servant and now a political staffer.

King's encouraged my ambition – I was editor-in-chief of the student newspaper and student association president. There are benefits to being a bigger fish in a small pond, and King's provides significant leadership experiences for students. My professors have written glowing and thoughtful recommendations for me with every job application and my masters program – they know me and they care about what I achieve.

Edmonton Strathcona MP Linda Duncan has been a long-time supporter of King's University. I asked her for her thoughts about King's, to be read during this bill debate, and she sent me this letter. She admires the breadth of accomplishments of this small campus and the daily interaction between King's leadership, faculty, and students. She's especially delighted by King's efforts to engage their students in global issues through their interdisciplinary studies conferences. This year's conference, by the way, is entitled Change Is in the Air: From Climate Chaos to Climate Justice, and it takes place January 20 and 21, 2016. I encourage everyone to come and learn about our changing climate, those affected most by it, and how our world can chart a course towards a positive climate future.

Perhaps King's most famous student, though, is someone who has never formally registered there at all, Mr. Omar Khadr. For many years several King's professors have worked with Mr. Khadr. One of them, English professor Arlette Zinck, has worked with him for five years. Zinck has been tutoring Khadr, through his detention at Guantánamo Bay to his three prison stays in Canada. She's been called a proselytizer and an opportunist and has received numerous threats by mail, two of which she turned over to police.

with him – accused her of turning King’s into a factory for Khadr groupies and compared her tutorials to conjugal visits. Levant later apologized by e-mail.

The Christian university where Arlette Zinck teaches does emphasize an interdisciplinary curriculum that reflects the Creator’s design and will encourage students to examine real-world issues from a Christian perspective and to become agents of social transformation. She looks upon working with Omar Khadr as a gift: we’ve said to him repeatedly that you don’t have to give back, that you are under no obligation, and if there is a program that interests you that is not at King’s, you know we’ll be walking right beside you; we are going to be writing letters of reference and doing whatever it takes to see you through.

King’s vision is to grow as a university community by creative teaching, passionate learning, rigorous scholarship, compassionate care, and joyful service. Passing this bill to change the name of King’s will aid in their pursuit of that vision. Randolph Haluza-DeLay, an associate professor of sociology at King’s, explained how it would effect faculty at King’s in his letter to me.

The King’s University College is a university in everything but name. The bill allowing a change in name to University would be highly beneficial to this institution, and to the higher education landscape in Alberta.

If I can serve as an example ... here at The Kings University ...

Herein are flyers he included on environmental justice in Canada and on climate change.

I serve on the board of the Parkland Institute. And yet, the word “college” generates a second-class status. Recently, CBC Radio held an interview with representatives of “Edmonton’s two universities.” Wait! What about King’s and Concordia!?

But as this CBC incident shows – and its not the only one – the “college” piece of the name is a problem. It has a definite effect on my ability to secure research grants. It affects the ability to get attention for our research. It affects recruitment of students and yet our teaching has repeatedly achieved very high levels of recognition. A longtime colleague working for the City of Edmonton expressed surprise last year that “King’s offers Bachelor’s? I thought you were a college.” Even my children’s mother tells the kids that their father “doesn’t work at a real university.”

7:40

Abigail Douglass, who’s here tonight, kindly gathered input from her fellow students on what the name change would mean to them.

Becoming a university means our school can now officially be part of the CIS athletic conference. It also means prestige! I can say I went to a university and that I have a university degree.

That was from Olivier Prophete, who is in his fifth year.

To me, it makes my school more well recognized as a Post-Secondary institution. It legitimizes the quality education King’s offers, and in the eyes of the public, makes that known and recognizable.

Joelle Noot, who is in her third year.

The name change finally recognizes King’s for what it has always been: a fully-fledged University that offers an amazing education. It also means I no longer have to explain what a “University College” is when I tell people where I study.

Joshua Thomas, who is in his third year.

The King’s University name change shows that a Christian Post-Secondary Institution can have the same standard of academic prestige as any other University.

Daniel Libert, fifth year.

This name change proves that King’s can produce the same value of education as any other University.

Connor De Groot, fourth year.

The King’s University name change is not only a pivotal change for the external perception of King’s but it also allows more pride and confidence in who we are. Whenever someone asks me what being a University College is, I simply respond we are a University and that’s all that matters. Although my grandma still has some convincing, I am very proud of this institution I call my second home and I hope that this name change can only further prove how amazing this place truly is and that King’s can receive the respect it deserves.

Abigail Douglass, third year.

There are a couple of other comments here, but in the interest of brevity, Mr. Speaker, I will table those perhaps at a later date. I want to extend a sincere thank you to Abigail Douglass for putting in the effort to collect those statements.

Mr. Speaker, I’d like to thank all of the members of the King’s community, past and present, for providing me with this information, which I hope the members of the Assembly find helpful in considering whether they support this bill.

Thank you.

**The Speaker:** Thank you, hon. member. I know I speak for all of you. I continue to learn the rich diversity of this province every time I hear presentations and new information like that.

Are there any other members who would like to speak to Bill Pr. 1, The King’s University College Amendment Act, 2015?

Hearing none, the hon. Member for Edmonton-Gold Bar for closing comments.

**Mr. Schmidt:** Thank you, Mr. Speaker. As I was waiting for you to call me again, I had a couple more thoughts. I’d just like to quickly say that I hope that this name change will allow King’s to continue to grow and to serve the community of Edmonton-Gold Bar and all Albertans.

While I’m certain that many positive changes lie ahead for King’s, I do hope that they keep the orange carpet. Thank you.

[Motion carried; Bill Pr. 1 read a third time]

## Bill Pr. 2

### Bethesda Bible College Amendment Act, 2015

**The Speaker:** The hon. Member for Edmonton-Decore.

**Mr. Nielsen:** Well, thank you, Mr. Speaker. It is certainly a pleasure to be able to rise this evening to move third reading of Bill Pr. 2, the Bethesda Bible College Amendment Act, 2015.

When Bethesda Bible College was originally founded, it was done as an extension of the Bethesda church. The Bethesda church legally changed its name, though, in 2009 to Christcity Church Ltd. As well, the church itself moved to a new, modern facility located on St. Albert Trail. The theological programs are now being operated out of this new facility and through Christcity Church, which was formerly Bethesda, so the amendments simply reflect the new church name and maintain continuity now between the church and its theological programs.

This, of course, did go through the Standing Committee on Private Bills. It was recommended by the committee to accept this, and I would hope that all the members of this House are willing to take this bill and move it forward to allow these fine folks to change their name.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

Are there any other members who wish to speak to Bill Pr. 2?

Hearing none, I would call on the Member for Edmonton-Decore to close debate.

**Mr. Nielsen:** Well, thank you again, Mr. Speaker. Unfortunately, like my hon. colleague, I don't quite have any last-second thoughts prepared, so I will simply move to close debate on this and allow these folks to get their name changed.

Thanks very much.

[Motion carried; Bill Pr. 2 read a third time]

### Bill Pr. 3

#### Rosary Hall, Edmonton Repeal Act

**The Speaker:** The hon. Member for Edmonton-Centre.

**Mr. Shepherd:** Thank you, Mr. Speaker. It's my pleasure to rise and move third reading of Bill Pr. 3, Rosary Hall, Edmonton Repeal Act.

Rosary Hall was founded by the Catholic Women's League here in Edmonton, back in 1915, and it operated until 2012. Since it has ceased operations and is no longer serving the people of Edmonton, they have requested to have it repealed. That is our reason for bringing this bill forward this evening. I ask all members to vote in favour.

**The Speaker:** Are there any other members who would wish to speak to Bill Pr. 3?

Hearing none, I would allow the member to close debate.

**Mr. Shepherd:** Thank you, Mr. Speaker. I say that we go ahead and put the question.

[Motion carried; Bill Pr. 3 read a third time]

### Bill Pr. 4

#### Canadian University College Amendment Act, 2015

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

**Mr. Orr:** Thank you, Mr. Speaker. I would like to move third reading of Bill Pr. 4, Canadian University College Amendment Act, 2015.

I would just like to say that Canadian University College has resided in the city of Lacombe for just over a hundred years. It represents part of the rich religious heritage of education that we have all across this province, from many different kinds of traditions. They have brought to the city of Lacombe a great wealth of benefit, not just the economic benefit of having a university present in the city but the vitality and life of students, the volunteer work that they and staff contribute as well as the sports facilities and events that they host, and a great deal of truly world-class music, that they bring in on a regular basis. This university college, as it has been called, has been a great blessing, actually, to the city of Lacombe.

As is the case with the others, this is a name change to reflect the reality of their university status and their degree-granting status in the province of Alberta. I would urge all members to vote for the bill.

Thank you.

**The Speaker:** Thank you, hon. member.

Are there any other members who wish to speak to Bill Pr. 4? The hon. Member for Edmonton-Gold Bar.

**Mr. Schmidt:** Thank you, Mr. Speaker. I have to say that I'm probably alone in my enthusiasm for private bills this evening. But I am pleased to rise today to speak in favour of this bill, which would change the name of Canadian University College to Burman

University. This institution was founded in 1907 by Charles and Leona Burman, both of whom devoted their entire lives to the work of the Seventh-day Adventist church. CUC continues to be affiliated with the Seventh-day Adventist church to this day.

Now, my wife has a close connection to both the Seventh-day Adventist church and the CUC, having grown up in an Adventist family, with many members of her family attending CUC. I can't say that I know much about the teachings of the Seventh-day Adventists, but I have learned that they are people who have the courage to live by their convictions. Adventists believe that Saturday, the Sabbath, should be kept holy, and I know that in this secular world laying down work for even one day every week is a difficult task.

Adventists also emphasize healthy living, with many Adventists taking up work in the health professions and eating a strictly vegetarian diet. I once sat through a half-hour sermon at my mother-in-law's church that consisted only of a lesson about the evils of bacon. That was followed up with a potluck dinner that featured that most famous of all Adventist vegetarian dishes, Special K cottage cheese loaf. You only need to try it once. But for those who can stick with the no-bacon and all-cottage-cheese-loaf diet, the payoff is a long, healthy life. My wife's grandmother recently celebrated her 105th birthday, and Adventists live on average 10 years longer than the average North American.

7:50

Finally, many Adventists are pacifists, and I know that my wife's grandfather refused to serve in World War II because of his Adventist beliefs. Because he had the courage to stand up for what he believed in, he was belittled by his neighbours and forced by the government of the day to live in a work camp for the duration of the war.

The mission of Burman University springs from its Adventist roots. It is to educate students to think with discernment, to believe with insight and commitment, and to act with confidence, compassion, and competence.

My wife's aunt worked at CUC for a number of years, and I asked her about the name change. She said the following: the new name reminds us to look to the past and the values that have helped establish the school and also to the future as these values guide the university in preparing young men and women for lives of service.

Mr. Speaker, I'm proud to support this name change and to support this institution's educational mission, and I also, like the Member for Lacombe-Ponoka, urge all of my fellow members to do the same.

Thank you.

**The Speaker:** Thank you, hon. member.

Are there any other members who would like to speak to Bill Pr. 4?

Hearing none, the hon. Member for Lacombe-Ponoka to close debate.

**Mr. Orr:** Thank you. I appreciate the comments from the member across the floor. Yes, it is a great college. It truly does bring great benefits to our city. I encourage you to pass this motion, please.

[Motion carried; Bill Pr. 4 read a third time]

### Bill Pr. 5

#### Concordia University College of Alberta Amendment Act, 2015

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Schmidt:** Thank you, Mr. Speaker. I appreciate the comments from the member, and I have to say that tonight is a little bit of payback for having sat through so many of his speeches for the last six weeks here in this session.

On behalf of the Member for Calgary-Varsity I'm happy to move third reading of this bill. The Member for Calgary-Varsity asked me to say some comments on her behalf. Concordia University of Edmonton is the Member for Calgary-Varsity's alma mater though it was called Concordia University College of Alberta at that time, long ago, when she attended. The Member for Calgary-Varsity is proud to sponsor this bill as Concordia; its current president, Dr. Krispin; and professors Dr. Strand and Dr. Muir have been like family to her. This bill signifies the great advancements being made by this exemplary postsecondary institution.

I'm pleased to move third reading of this bill, and I encourage all members of the Assembly to support it.

**The Speaker:** Are there any other parties who would like to speak to Bill Pr. 5?

**Ms Jabbour:** I just wanted to say that one of my daughters graduated from Concordia with her degree in chemistry. I know it's a fabulous university. The instruction there is just absolutely the best you could get, so I'm so thrilled with this.

Thank you.

**The Speaker:** The Member for Edmonton-McClung.

**Mr. Dach:** Thank you, Mr. Speaker. I rise to support this bill to change the name to Concordia University College. I, too, attended Concordia during my first year of university and can attest that it was a great place to attend university. I went on and got a degree from the University of Alberta, but I'm certainly glad that I chose to attend Concordia for my first year. I have very warm feelings for it and am grateful for the instruction I received there.

**The Speaker:** Hon. members, the wonderful little Standing Order 29(2)(a) is on the second speaker, Edmonton-McClung. Are there any questions under 29(2)(a)?

Are there other members who would like to speak to Bill Pr. 5?

Hearing none, is the Member for Edmonton-Gold Bar prepared to close debate?

**Mr. Schmidt:** Close, Mr. Speaker.

[Motion carried; Bill Pr. 5 read a third time]

#### **Bill Pr. 6 Covenant Bible College Amendment Act, 2015**

**The Speaker:** The Opposition House Leader.

**Mr. Cooper:** Thank you, Mr. Speaker. I rise today to move Bill Pr. 6, the Covenant Bible College Amendment Act, 2015.

It's a bit of a shame that you didn't have a longer period of time to enjoy such silence on behalf of myself, but I might just add that I have enjoyed the comments.

**The Speaker:** Hon. member, it's been suggested – are you moving the motion on behalf of Strathmore-Brooks?

**Mr. Cooper:** I most certainly am.

**The Speaker:** Thank you.

**Mr. Cooper:** On behalf of my hon. colleague from Strathmore-Brooks I thought that I would take this time to provide a little

background on the Covenant Bible College, or CBC, as it's most commonly referred to, a vocational Bible school located in Strathmore, Alberta, where its last campus was held, in 2007. They did incredible work over a long period of time, beginning in 1941, in Norquay, Saskatchewan, and I know that they had a significant impact on the lives of many when it came to the instructional learning that can take place at such a critical facility. Unfortunately, a number of years ago, due to declining enrolment, they chose to close the Strathmore campus. This is the reason why we have Bill Pr. 6 before us.

I encourage all members of the Assembly to support the bill, and I hope that the Member for Edmonton-Gold Bar might be able to add some context to this debate.

**The Speaker:** Are there any other comments on Bill Pr. 6?

**Mr. Fraser:** Mr. Speaker, I can't call a point of order, but, please, gentlemen, my ears are bleeding. Can we hurry up?

**The Speaker:** Hon. Member for Olds-Didsbury-Three Hills, on behalf of the Member for Strathmore-Brooks do you have anything to close debate?

**Mr. Cooper:** In light of the comments from my hon. colleague I might just close debate, sir.

[Motion carried; Bill Pr. 6 read a third time]

#### **Bill Pr. 7 Living Faith Bible College Amendment Act, 2015**

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Well, thank you, Mr. Speaker. I move third reading of Bill Pr. 7, Living Faith Bible College Amendment Act, 2015, and certainly encourage all members of this House to support it.

**The Speaker:** Are there other members who would like to speak to Bill Pr. 7?

Hearing none, the hon. Member for Rimbey-Rocky Mountain House-Sundre to close debate.

**Mr. Nixon:** I suggest you call the question.

[Motion carried; Bill Pr. 7 read a third time]

#### **8:00 Government Bills and Orders Committee of the Whole**

[Ms Jabbour in the chair]

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

#### **Bill 6 Enhanced Protection for Farm and Ranch Workers Act**

**The Chair:** We have under consideration, Bill 6, Enhanced Protection for Farm and Ranch Workers Act, and we are on subamendment SA1. Are there any further speakers to this subamendment? Little Bow.

**Mr. Schneider:** Thank you, Madam Speaker. It has to be short. Oh, goodness gracious. I rise to support this subamendment. Subamendment SA1 to Bill 6, in my opinion, does make sense. This amendment would allow a person that is engaged in a farming or ranching operation to have a couple of part-time



employees, part-time paid workers, because that's what we're really talking about here, for the performance of ranching or farming work exempt from all OH and S provisions in Bill 6.

If we look at the family farm, because generally this is how this all goes, a father would pass a farm on to his son, so his son would be growing up, and, of course, then the father is getting older as things are moving on. It comes to a point where the father and the son have been working together for years and the father is getting too old to work. The son is old enough to take the place by himself, but because there have been two people working there – now there's going to be one because the father is giving up or quitting or moving on. That's how things work. You would have a son who now has more land, if they happen to have land, cattle. It just ends up being a lot of work for one guy. You know, his children, of course, probably aren't going to be at the proper age for him to be able to start using his 17- or 18-year-old son to help him work.

It seems like in that operation, in those farming practices there's always a spot where one person is left alone until either his children are grown up – well, that's generally the one. The father has been farming. The father is slowing down. Now the son has a bunch of land, and if there are cattle involved, too, he needs help, probably, you know, just really seasonally, fencing, fencing through the summer or hauling grain.

Good grief. I mean, the elevator: it seems like they're always calling for grain at the times when you're doing something else, and they need it right now. The days of hauling grain whenever you felt like it are over. You generally have to have a contract. Sometimes they don't call it in the month that you've contracted it, but – boom – the next thing you know, they've called it. Lots of times I've seen where somebody will get help from a neighbour or somebody to haul grain. Certainly, haying, stuff like that is a two-man job, trying to get hay from one place to another. And, of course, harvest: harvest is a no-brainer. That's going to take more than one person. In that sense it makes some sense.

I guess I get a little confused when I keep hearing about this unsafe work that people are being forced to go do. The Minister of Justice stood over there and said – and it's in the Blues, and I read it, and I'll just give a reference to it – that the boss could tell a man to stick his arm in that machine that's running and take a block of wood out of it. I mean, please, let's be realistic here. I run my own farm by myself. I wouldn't put anyone in any situation that I wouldn't put myself in. It's just that simple. There isn't anybody I know that would be caught dead doing anything like that. I certainly wouldn't ask somebody to stick their arm into a machine that was operating while I stood there and watched him to see if he could get the piece of wood out. It's just absolute fearmongering. I can't believe it.

**An Hon. Member:** It's in *Hansard*.

**Mr. Schneider:** And it is in *Hansard*. I mean, okay; so maybe she didn't quite mean it that way, but that's how this stuff all gets going, right? “Well, there are people being hurt, and they're being forced to do things that they don't want to do.” Seriously? I've never heard of anything like that, and maybe that happens on places that I don't know anything about, but on a small family farm, that I've been around for 40 years? Never.

So this bill kind of handcuffs the family farm that's passing on a piece of land and some cows to a son because he can't handle all that work. If he can get a little extra help and not be tied up with all this OH and S stuff because he's going to hire somebody for two weeks here and maybe three weeks when we're doing harvest or, gee whiz, calving – you can have a neighbour come down and help you

pull a calf in the middle of the night or something, but he's got his own calves.

In trying to do this more than once, it gets to be more than just help, so it's easier to just get somebody from town and say: “Look; if I have trouble tonight, I'm going to call you. Come on in.” Yeah, there's a guy that can put an arm in, turn a calf around, a backwards, upside-down calf. That's the kind of stuff that you do at home. You don't race to the vet – and you know this as well as I do, Vermilion-Lloydminster. Those are the kind of jobs that maybe the Member for Vermilion-Lloydminster can do by himself. I'm sure that he can. He's a bit taller, a bit longer in the arm. That's what it takes. You're right up to your nose in this stuff when you're working on something like that. For us guys that are six inches shorter and a little shorter in the arm, it's just a lot easier to have help, and if you've got a couple of hundred head of cattle, there's a lot of work to do. It's not as simple as it sounds.

Down in the country where I live, the wind blows, so, boy, if you blow a door off a building when a door happens to be open, putting that door back on the building is not a one-man job. I mean, it's a big job. It's more than a half-hour job probably, so having somebody around for these kinds of jobs is a good idea. Yeah, it's good.

You know, I'm not supposed to be going very long here, but I am going to go to a letter that I received from a constituent, a third-generation farmer.

Three of our children, their spouses and families currently farm with us. In addition, we have two full time employees and at peak season we may have up to four more on staff. We provide benefits and disability insurance to those who work with us. The key word here is work “with” us, for some have been here for sixteen years [and] others nearly ten. They are more like family, than employees.

We preach safety every day and try to practice it diligently. Other farmers obviously do the same, because farm accident and fatality rates in Alberta are similar or less to other [Canadian] provinces in Canada.

We can argue that number back and forth here probably, well, till it's 8 o'clock tomorrow morning. We probably will.

**Mr. MacIntyre:** Till the cows come home.

**Mr. Schneider:** We need help from Richard to pull them.

Your NDP Government says this bill is mainly about safety, but when I asked Minister Sigurdson in Okotoks about Occupational, Health and Safety not having experience in our industry, and how could they possibly set reasonable standards for it without consulting us, she had no answer.

Anyway, I'll go back to where I was, wherever that was. I guess the other point that I kind of wanted to make here – so this bill is going to pass, I expect. We hope to get some amendments, maybe between the two sides, that can make something work and make it look good, but we keep hearing the government talk about sending this to consultations with farmers after this bill has passed. So sometime after the 1st of January we'll expect to see some kind of notification, I guess, that would allow farmers to become part of a consultation that's going to build this document that will help define the codes that are going to be within this brand new, OH and S, agriculture-related document.

I'm curious who the experts will be for this job. To find an expert in agriculture: that will help. Drumheller-Stettler, would you agree? If I was trying to go find an expert in agriculture that would help me write codes for an OH and S document, who would I talk to? Would it be a farmer? Who else in this province would have the knowledge? Edmonton-Whitemud, help me out there. [interjections]

8:10

**The Chair:** Hon. members, through the chair, please.

**Mr. Schneider:** I'm sorry, Madam Chair. You're right. You're always right. I mess that up every time.

At any rate, I would suggest to this House that if you're looking for an expert to help write a document such as that, you'd have to talk to a farmer because they know every end of it, inside and out and backwards and forwards.

This amendment would help improve this bill by providing some kind of definition as to what a small farm operation is, just like my own operation. I do have to hire labour on a small scale now and then, and if I had to fit into the OH and S that's coming, I can expect that it would cost a lot of money.

I do want to say that I couldn't be in the House on Monday. I had to do something with my mother. I met a neighbour where I was at. Now, he had just put up a new bin, and I expect it was a pretty big bin. They didn't bring the safety cage that comes with the bin. It wasn't included in the package when he bought it, so he had to go buy it himself. He knew exactly what the package cost to put a safety cage around a ladder going up a bin. He did the math on that and the number of bins that he has on the place. It was going to take him \$300,000 if he had to come up to code on OH and S to put up these cages. A farmer can't pass that on to anybody. That's just basically gone, that money.

**An Hon. Member:** He just absorbs it.

**Mr. Schneider:** You just absorb it.

I know that I don't want to be bogged down in more paperwork for some obscure regulatory compliance – I need to meet about – about when I should be out on a piece of machinery trying to get the farming done. And I'm pretty sure I'm not interested in filling out pages and pages of paperwork every morning when the guy I hire, that comes and helps me farm, like the Member for Barrhead-Morinville-Westlock does – he gets a guy just like I do. Every morning we go out and do a walk around. We make sure that we have tire pressure on all the wheels on the truck. We go look over the loader, make sure that it's greased. We do talk about safety all day long when we're going. I mean, this is just standard procedure. I don't have to fill out a document to say that I did this with my hired guy.

Anyway, I think I'm going to leave it at that. I was told to be short. The subamendment is within the full spirit of the government's amendment, that seeks to reassure that family farms stay family farms, and I trust that my hon. colleagues will support this subamendment.

**The Chair:** Any other speakers on the subamendment?

Seeing none, I'll call the question.

[Motion on subamendment SA1 lost]

**The Chair:** We're back on the amendment. [interjections]

Hon. members, you were not fast enough. I'm sorry. We've already moved on. We are back on the amendment.

I will call on the hon. Member for West Yellowhead to speak.

**Mr. Rosendahl:** Thank you, Madam Chair. I rise today in support of this bill. My member's statement a few days ago stated my background in farming, much to the dissatisfaction of the opposition over there. I spent 18 years on a mixed farm, and we did everything on that mixed farm. So I do know about farming and the hours that it needs to make it successful, like I said in my member's statement.

My other background, by the way, is from the industrial work site. Yes, it was unionized, and thank God it was. Health and safety were

prominent in this atmosphere, and they had to be. We had to stick up for ourselves. We spent countless hours and dollars training ourselves, and this was time and money well spent. All workers deserve to work in a safe environment, and this training helped ensure that that was true.

Throughout the years I attended many classes over the 31 years in the plant. I attended courses all over the province representing health and safety as one of the main items, environment and many others on top of that. This knowledge helped provide me with the ability to train others, and I spent many years before coming to this House representing workers all across the province, not just in my own riding but all across the province, in all walks of life, unionized and non-unionized. I represented workers across Canada, even on the world stage. One occasion was the world conference on asbestos. Because it's such a horrible substance, I represented workers at that conference, representing Canada. So you can't say that I don't know what I'm talking about when it comes to health and safety because I live it, and I did so for many years in that plant.

I've worked representing workers also at the Alberta Federation of Labour, the AFL. I represented workers on different committees from that organization, in particular, was the health and safety committee. This committee, by the way, was very busy because of the many issues that we covered throughout the province: all workers, many issues. I still represent all workers here in this Legislature.

The opposition has talked a lot about consultation. Well, let's discuss that. Over my many years at the AFL representing workers, including farmers and ranchers, by the way, we had many meetings with them discussing the issues of health and safety for farm workers and ranchers. It had occurred for over a decade. The farmers and ranchers lobbied the AFL to represent them, to try and get the now third party to address the issue. I'm proud that this government is now finally addressing the issue. It's about time.

This bill is about respect for workers and workers' rights, nothing else. This includes farm and ranch workers, paid workers. Madam Chair, this bill does not kill the family farm. This bill does not regulate or interfere with children's ability to contribute to the family farm. Also, this bill does not interfere in any way with farm kids' ability to learn about and participate in the 4-H system. I talked about 4-H in my member's statement back in November, supporting 4-H. This bill was also never intended to interfere with a family's ability to teach their children about farming and pass on their way of life from their parents and so on and so forth. It wasn't intended to take that away. This legislation will not prevent neighbours from volunteering either. This bill will only cover farm and ranch operations with paid employees and only for the duration of the employment.

8:20

This bill will prevent death and injuries and assist workers and their families in the case of accidents. We heard about many when I was meeting with those farmers and ranchers at the AFL, the list of workers that had died and were injured because of the lack of insurance and everything else that they put up with, the loss of some farms because the farm couldn't stay viable because the main operator was no longer there. We heard lots of it over the 10 years that we met with them.

Again, it's about respect for workers and workers' rights, nothing else. I urge all members of this House to join me in supporting this bill. Thank you.

**The Chair:** The hon. Member for Vermilion-Lloydminster.

**Dr. Starke:** Thank you, Madam Chair. I'd certainly like to thank the Member for West Yellowhead for the comments that he made, certainly passionately delivered. While I can appreciate his opinion that this bill is about workers' rights and nothing more, sir, there are an awful lot of farmers in Alberta who would disagree with you and quite vehemently disagree with you. If it was only about workers' rights and nothing more – and we'll have this discussion, I suggest, probably more than once this evening – then, you know, quite frankly, there wouldn't be the objection that is out there from farmers.

Madam Chair, I'm very pleased this evening to move an amendment that I believe would provide some improvement to this bill. I'll first give it to the pages for distribution. There's the original for the Clerk's table.

**The Chair:** Hon. member, this is a subamendment that you have?

**Dr. Starke:** This is a subamendment. Yes. Thank you. This is a subamendment to government amendment A1. While it's being distributed, I'll read it into the record. This is probably subamendment SA2, I would suggest.

**The Chair:** SA2.

**Dr. Starke:** Okay. I move that Bill 6, the Enhanced Protection for Farm and Ranch Workers Act, be amended in part C in section 9(2)(a) by adding "or" at the end of the proposed clause (d) and by adding the following after the proposed clause (d):

- (e) persons in an industry listed in Schedule D whose employer maintains insurance coverage that provides benefits equivalent to compensation available under the Act, evidence of which has been provided in a form and manner that is satisfactory to the Minister.

Now, what this amendment essentially does, Madam Chair, is that it recognizes what is already very common practice on many, many farms across our province; that is, that employers are providing their employees with various forms of insurance, not just against an injury on the job that covers them while they're on the job, as workers' compensation does, but that indeed gives them insurance coverage around the clock and not just for work-related injuries but for various other perils that they could be facing. This is the sort of thing that employees and employers have worked out together in a co-operative way that, I would suggest, is the hallmark of healthy labour relations.

I know what the arguments against this are because I heard them yesterday in Vegreville. The first argument is: well, WCB is special because it's no fault. That does make WCB different, but unfortunately it doesn't make WCB good. There are still significant flaws in the workers' compensation system. Those flaws have been pointed out repeatedly by the Premier in many of her talks to the Canadian Injured Workers Association. In fact, the Premier has demonstrated in those speeches that she is extremely dissatisfied with how the Workers' Compensation Board takes care of injured workers, that it is insufficient and that it just simply does not do the job. In fact, in one speech the Premier indicated that they have a long list of suggested reforms and improvements that can and should be made to workers' compensation that would be brought in should her party ever form government.

Well, Madam Chair, we asked about this for a couple of days in question period, and we were told that the Workers' Compensation Board is being reviewed as part of the agencies, boards, and commissions that are being reviewed, some 200-plus agencies, boards, and commissions that are being reviewed by this government. You know, there's nothing wrong with that. In fact, that process had actually started to happen before the election was

called. But if this was such a high priority for the Premier, if reforming WCB was such a high priority for the new government, then why wasn't this initiated as one of the top priorities after the election? It hasn't happened. In fact, it's all in with the review of agencies, boards, and commissions, all 200 of them, that will be completed at some future date.

If this is such a high priority and if WCB indeed has so many deficiencies, that the Premier has been very public about, you can perhaps understand how farmers have drawn the conclusion that perhaps they don't want to be mandated and told that they have to participate in such a flawed program, especially, Madam Chair, given that so many farmers already provide coverage which they view to be superior to WCB. Really, what's important is that it's coverage that their employees view to be superior to WCB. In fact, we have heard from many farm workers, employed farm workers, farm workers that would fall under this act, that say: "Don't give me WCB. I want to keep my private insurance. If you mandate that my employer has to take out WCB, because of the narrow margins on farming operations, they may well decide to de-enroll or discontinue the private insurance policy that I have, that I like, that provides me and my family with good coverage and, instead, enrol in WCB, and I don't want it."

Madam Chair, I submit to you that while one of the goals of this piece of legislation is that any injured worker in Alberta – or in a case where a fatality occurs, it's the family of that injured worker – is taken care of, that should be a minimum that all employed farm workers should expect. I have no issue with that whatsoever. The question that I have, though, is whether workers' compensation, with the flaws that the Premier has pointed out, with the flaws that we as Members of this Legislative Assembly hear about on a regular basis from our constituents, is the program that should be mandated to farm workers when indeed many, many employers have chosen other coverage, coverage which they feel is superior, coverage which they feel provides better protection for their employees.

Madam Chair, we heard about this repeatedly during the sessions in Vegreville yesterday. You know, one of them was interesting because this was actually from a neighbour of mine. In speaking to the ministers that were on hand yesterday, he described that he provides insurance for his three employees, employees that are paid approximately \$54,000 a year. He provides insurance that provides coverage 24/7, round-the-clock insurance, at a cost to him of approximately \$16 a month.

Now, by comparison, at the rate that has been publicized for workers' compensation for coverage that would only cover them while they're on the job, at \$2.97 per \$100 of insurable earnings, that coverage for each of those employees would work out to \$1,600 a year, or \$133 a month. That's eight times what he is paying now for his private insurance, that his employees prefer, that his employees have said they would rather have than workers' compensation. This legislation does not provide for that choice. This legislation mandates that the workers must take an inferior insurance product compared to the one that they already have.

You know, this came up in Vegreville again yesterday as well, and I will say this to those of you who weren't in Vegreville: farmers aren't stupid; quit treating them like they are. That's a quote, Madam Chair. Those aren't my words; those are the words of the people in Vegreville. Farmers are sophisticated businesspeople. They understand risk tolerance. They understand the multiple factors that go in.

**8:30**

One of the biggest challenges in farming today is human resource management. What I mean by that is that it's hard to find good

workers, especially in a situation when the oil patch is hot, and when you have good workers, you want to keep them and you want to treat them well. That's why we had person after person going up to the microphone basically in tears because they felt – and they are sincere in this feeling – that they treat their workers extremely well, that their workers are treated like family. We heard that again and again and again. I know that myself from the various people that I worked with. They treat the workers like family, and because of that, they want to look after not only the worker but the worker's family, and they want to provide them the best coverage they know how.

They know that in a competitive labour market you have to provide more than just a good salary. You have to provide more than just, you know, safe working conditions. You have to provide the various benefits because, quite frankly, if you don't provide those other things, those workers will go elsewhere. In a competitive labour market, where labour is scarce, farmers need to provide those things for their workers.

So that's what this amendment does. This amendment provides workers and employers with a choice. Now, they can still enrol in WCB, and in fact many employers, farm employers, do choose to do that. But just as my friend the hon. Member for Grande Prairie-Wapiti indicated in his speech on second reading, he has done both. He's done workers' compensation, but he's also done private insurance, and he found private insurance much more effective for his employees.

Now, going back to the no-fault thing, I got to thinking about this. You know, I'm concerned if the thing that makes workers' compensation so good is because it's no fault and we mandate it for everywhere. I looked at the provinces on either side of us, and I thought of car insurance, which is also required. The provinces on either side of us once made the mistake of electing NDP governments, and while those NDP governments were in, they developed state-run car insurance programs – SGI in Saskatchewan, ICBC in British Columbia – that also have no-fault car insurance. If no fault is the be-all and end-all, how long is it before this government brings in and nationalizes car insurance? I worry about that. I hope it doesn't happen. [interjections] Yes, of course, they want to have it. Amazing.

The other area that we're told about is that if there are private insurance workers, we'll have to go through protracted litigation in order to make claims. Well, Madam Chair, you know, my own experience with this situation is that this is also a competitive field. The provision of group insurance plans for workers is a competitive area. The word on a company that is unwilling to pay claims, reasonable claims, claims that are made in good faith: if the word gets out that there's protracted litigation required to make a claim, those companies – word gets around – very quickly find out that they don't have any more clients.

What this amendment does is that it provides farmers and their employees with a choice. It doesn't mandate one form of coverage. It means that they can customize their coverage to the needs of their employees. If indeed the concern of this government is for employees – and I do believe that it is – then they should recognize that this amendment provides for that and that this amendment provides the kind of choice that employers and employees deserve. I would encourage all members of this House to seriously consider this very reasonable amendment, that improves this piece of legislation, and support the amendment.

Thank you.

**The Chair:** The hon. Member for – I'm going brain-dead tonight.

**Mr. Nixon:** It's okay, Madam Chair. It's Rimbey-Rocky Mountain House-Sundre. Am I acknowledged?

**The Chair:** Go ahead.

**Mr. Nixon:** Thank you very much, Madam Chair. I'd like to first just thank my colleague the hon. third-party House leader. This was something I spoke about a little bit in second reading. I talked – Madam Chair, I believe you were in the chair at the time – about a feedlot that operates near Sundre and has about 25 employees. I visited with those employees, and I asked them about this, in regard to Bill 6 and what they thought about WCB and that this government was trying to bring in WCB to protect them.

They took me through the insurance program that they have currently in place there, and as the hon. member has pointed out, it was better than WCB by a long shot, it was cheaper than WCB by a long shot, and it protected the employees 24 hours a day. Now, that's a big difference. With WCB they would only be protected when they're at work. The program that they currently have at this feedlot: they are protected when they're sleeping in their beds, Madam Chair. That is a big difference.

Now, as the hon. member has also pointed out, the Premier has pointed out the significant problems with WCB, and there are some issues with WCB. I think all sides would agree on that. What this government is asking us just on the WCB side – and there are some other major problems with this bill – is to take some employees that have better insurance options, because that is what their employer is able to provide, and force them to a subpar one compared to what they already have. If this government already acknowledges that there's trouble with WCB, Madam Chair, why would they want to force that on these employees and other ones across Alberta?

I think this amendment is reasonable. It will make sure – as the government says, they want to make sure that all employees that are hurt and their families are covered if there's an accident or a death, and I think that's noble. Most farmers and ranchers I talk to have no concerns with that, but why would we put in something that the Premier herself has acknowledged is broken and force that on these good people? Why would we not give them the option to figure out what's best for their employees, give them the option to figure out what's best for their business if it accomplishes the same thing, Madam Chair, or it accomplishes an even better thing? The question, I think, is why this government would like to force less on these employees at the feedlot that is near Sundre.

I'm going to support this amendment. I certainly encourage all members of this House to support this amendment. I would say, Madam Chair, that members that don't support this amendment clearly show that they're not actually interested in the insurance or in the protection of employees monetarily if there are accidents and death by supporting a subpar system, in my mind, and I do think that farmers are more than capable of making a decision on what package works better for their employees.

Thank you, Madam Chair.

**The Chair:** The hon. Member for Athabasca-Sturgeon-Redwater.

**Mr. Piquette:** Yes. Thank you, Madam Chair. I'd like to speak strongly against this amendment. [interjections] Yeah. Actually, until recently I was a licensed life and accident and sickness insurance agent. As well, I represented the company that would be the largest farm insurer in Canada. I've dealt, you know, with insurance with hundreds of farmers over the years, and I've dealt directly with the types of products that the hon. members are referring to. Unfortunately, I think that this amendment is, in fact, meaningless because there is no private enterprise equivalent to WCB, and I'm going to explain why that is. I think that it is really, really unfortunate to see members being so irresponsible to think

that they can give, you know, professional advice to farmers without understanding how insurance really works.

Unfortunately, many farmers are, in fact, misinformed about the type of coverage that they carry. That was something that we were always very careful about when speaking with farmers, right? A lot of farmers – you're talking about this \$16-a-month insurance. That could only be one product. That could only be an accidental death and dismemberment policy. Those policies are extremely limited. They tend to provide cash payouts if certain things happen, and to pay out on death, it tends to be that you have to die within a certain period of time. There are other exemptions as well.

Secondly, I know that a lot of farmers are misinformed and think that we already carry employers' liability as part of their farmers' general liability insurance policy. Every one of those policies, unless it's specifically stipulated in the declarations, have some very, very strong, you know, kinds of limitations. The biggest one is that if you have wages in excess of \$10,000 a year, there's no coverage, and secondly, it is how it's being characterized. As the owner you have to be liable in order for the policy to pay out, and it does mean, unfortunately, that sometimes farm labourers do have to take it to court, right? I mean, insurance companies have a fiduciary obligation to protect their premium holders' money, too.

**8:40**

I mean, those are some of the reasons why. The other reason why WCB is actually a superior product and in no way equivalent is because WCB and OH and S were meant to work together. Now, part of the reason that we've been having all of these issues with, you know, how many injuries, how many disabilities, how much lost time is involved is because we don't have any good information, and that's because there are no reporting requirements as it stands now in that industry. If we have mandatory WCB coverage, that information then goes to OH and S, and then OH and S can work to actually, you know, investigate it. We're not just talking about covering people when they become disabled or injured; we're talking about actually reducing injuries and disabilities.

Now, there's another reason why. It's a built-in incentive for the industry. The way the WCB works is that if the industry has a better experience with fatalities and injuries, then everybody's premiums go down. Everybody has a stake in doing what they can to reduce injuries, right?

Finally, speaking from the private insurance side, dealing with, you know, trying to track where people have to have insurance, if you make the private insurance option mandatory and go that way as an option, it's going to be a paper-chasing nightmare because you're going to be having to send certificates here and there and elsewhere. How do you actually enforce this in a way that's going to be as efficient as WCB?

The last point I want to make – and this is something that is fundamental to how insurance works. Generally speaking, we call it within the business the law of large numbers. That means that the larger a group of, you know, people you have insured, the better experience you have, and it gives you two things. One is that you're able to spread risk a lot better, to where you'd be able to adjust your premiums. The second thing is that you're going to have lower administrative costs. But the biggest thing is being able to predict with better accuracy how many claims you are going to have.

For those reasons I think that it's actually kind of irresponsible to suggest that private insurance can replace it. Now, that being said, I mean, the hon. members are correct in that WCB does have some major flaws. The biggest flaw, of course, is that you have to be injured or disabled at work. However, insurance companies – and I sold these products – already offer drop-down coverages and

wraparound coverages. If farmers are concerned about premiums, they can talk to their agent and they can actually, you know, remove the work site thing. If they're concerned about dealing with WCB, they can have drop-down coverage, or they can have the 24-hour nonoccupational. The thing is that there are solutions for this.

Once again, I'd like to speak against the amendment. Thank you for your attention.

**The Chair:** I'll recognize Rimbey-Rocky Mountain House-Sundre, followed by Innisfail-Sylvan Lake.

**Mr. Nixon:** Well, thank you, Madam Chair, and to my colleague: I promise I'll be brief. I just wanted to point out to the member that this amendment – and I'm not sure if he's been able to have the chance to read it yet – says:

- (e) persons in an industry listed in Schedule D whose employer maintains insurance coverage that provides benefits equivalent to compensation available under the Act, evidence of which has been provided in a form and manner that is satisfactory to the Minister.

His argument, I would submit to you, Madam Chair, doesn't make any sense because this would say that the insurance has to be at least the equivalent of WCB or better, so if somebody was coming forward with something that was subpar to WCB, it would not be able to fall under this amendment. As such, I think the member should probably support this excellent amendment.

Thank you very much.

**The Chair:** Innisfail-Sylvan Lake.

**Mr. MacIntyre:** Thank you, Madam Chair. The hon. Member for West Yellowhead made a number of statements about how he is an expert in workplace safety. Well, so are all the farmers in Alberta. I wonder how the hon. member might feel if his expertise was ignored or, worse, belittled by an authority who presumed to know more about it than he did. Why are Alberta farmers protesting this flawed bill? Because that's exactly how they feel. They're the experts in farm safety, and they have been ignored from the get-go.

I rise today in an attempt to bring some common sense back to this House. I've heard from hundreds of Albertans through letters and at town halls, and they have told me time . . .

**The Chair:** Hon. member, are you speaking to the subamendment on the table?

**Mr. MacIntyre:** To the subamendment. Insurance.

**The Chair:** Okay.

**Mr. MacIntyre:** Here we go.

. . . and time again that they already have insurance. In a letter a former Alberta dairy farmer told the MLAs of this House, quote: many farmers who have employees already carry insurance to protect them as it is broader in coverage and more fiscally responsible to employees and employers than WCB currently is. End quote. I want to highlight this reality because, contrary to the misguided notions that the NDP continue to perpetuate, farmers in this province do hold insurance.

Now, we know that this entire bill isn't really about safety after all. It's about the government wanting to push through a socialist agenda at all costs and as quickly as possible. We know that union workers are exempt from WCB, and I would not be surprised if this legislation will encourage farm unionization. But let us pretend for a moment as though this bill is actually about farm worker coverage. We have a Premier that has railed against WCB in the past . . .

**An Hon. Member:** No.

**Mr. MacIntyre:** Yup.

... and has now turned around and insisted that our farmers are forced to join this system. She implied that the WCB is stingy, that they don't pay out enough benefits, that people have problems with coverage.

I mean, let's face it. There are so many litigations against WCB. If they had to compete with a private insurance company, they'd have been out of business a long time ago. The Premier knows that WCB is not the right course, yet here we are, forcing an entire industry away from better private options that provide better coverage, better payout, and are more responsive to the needs of their customers because they are just that: they are their customers.

Private insurance is better because when it fails to adequately service the customer, the customer has the option to leave. There is freedom to choose. But when a sector of our economy, like farmers, are going to be forced to one insurer, WCB, then WCB really hasn't got any motivation whatsoever to clean up their act. That is the problem with WCB. They don't have to compete. All the private insurers out there compete for customers' business. They are concerned about customer satisfaction. WCB, apparently, doesn't give a rip about it.

Take auto insurance as an example. Alberta legislation gives us the minimum parameters we all have to have regarding insurance of our cars. The government doesn't tell us whom to buy that insurance from, so we have the freedom to go and search the marketplace for the insurer that we think is going to give us the best rate, the best coverage, coverage that meets the minimum requirements or even beyond the minimum requirements of the law.

Why aren't we extending that same freedom to farmers? How come we're forcing farmers to deal with a monopoly system? Instead of respecting customer choice, this government is picking winners and losers. Worse yet, the winner is an agency that our own Premier has railed against, and, worse still, now you're removing the competition from WCB. There is no reason for it to up its game at all.

In a number of cases farmers are able to purchase insurance packages that offer an array of savings. Like more Albertans, they're able to purchase automotive insurance, our life insurance, our home insurance, our errors and omissions insurance, our liability insurance for businesses. We have choice in all these kinds of insurance. But, oh, no; farmers are going to be denied that freedom. Instead of forcing everyone under a system that our own Premier despises, we ought to be allowing for customer choice. WCB ought to be competing for farmers' money because only then are we going to see improvements.

Madam Chairman, competition in a free-market economy like we have – at least we'll have it for a while – naturally results in a better product and more customer-friendly service. That is the reality of competition. Competition is good for the consumer, and competition in insurance is good for the consumer.

**8:50**

Furthermore, private insurance is a thing that these farmers already have. They already understand it. Permitting them to continue with this option might just have the effect of quelling some of their fears about the uncertainty that comes with this kind of monumental change to farm life. Is this really about ensuring that farmers have adequate coverage in the event of a catastrophic loss? If it is, it remains entirely unclear why this government cannot extend to farmers the freedom to choose, that all the rest of us have for our insurance choices.

I urge everyone in this House to grant farmers the same freedom, to choose insurance that is best for them, best for their workers. This is, after all, still a free-market economy.

I urge everyone here to support this very sensible subamendment from our esteemed colleagues. Thank you.

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Orr:** Thank you. I also would like to support the amendment. I think it only makes some sort of sense. I would like to, actually, refer to a letter that I've been holding here all night, waiting for the right moment. It comes from a gentleman in my riding who I actually think voted NDP by the sounds of other parts of the letter. But this part of it he's not happy with, that "Bill 6 is a half cooked solution." And he says:

WCB will not make any of us less stressed or safer, we already have the option to contribute and most of us choose different insurance. Why? Simply [because] WCB is an insurance program which will not help us cover expenses if we are injured. WCB is not set up for the volatile and unpredictable market place and environment which is farming. WCB has found more ways not to pay workers than it ever has to pay us.

Do you want to know something? The test of an insurance company is its payout record, not its sales line. This is an important test of how an insurance company operates, and anybody who really knows and is really checking commercial insurance would be smart enough to check a payout record of their insurance company, because it is the final test.

He says:

To add insult to injury, WCB interferes with our private plans and delays the much needed funds. I was injured, on the farm in February, if I had gone through WCB I would have been paid nothing for the four months I was off because I didn't sell any calves in January.

Here's something that needs to be understood about farms that many people don't get, and it relates to a lot of what we've been saying. Farmers normally get a paycheque a couple of times a year, not twice a month. I was reading the B.C. WCB website to see how it works. Farm workers have to be paid every two weeks, but farmers get paid twice a year.

Anyway, he argues:

I sell [my] product once or twice a year. WCB makes payouts based on monthly income, some months farming, there is no income.

So now the WCB bureaucrat has a hard time calculating how much payout to make.

He says:

My private insurance plan covered my lost wages, additional medical expenses and developed a back to work program which helped me not only return to work but life as well. Perhaps your government should look at reforms to WCB before forcing their incompetence on farmers and ranchers.

I would like to say to the Member for Athabasca-Sturgeon-Redwater that although he understands the insurance industry, once again I don't think that he's telling us, as one of the other members said, the whole truth. The whole truth is that there are very stiff and difficult insurance programs out there, but there are also very clear insurance programs that cover loss of work, loss of business income, damages, all these different kinds of things. Farmers didn't fall off the turnip wagon yesterday. They are very smart when it comes to reading their insurance policies, buying the right kind of coverage. They know what they're doing. In fact, they take courses on how to do it.

He says:

OHS will not begin to comprehend what we do, how we do it and the variety of factors ... [in] the decisions we make. My family

farms, I farm, safety is my primary concern. Many of the proposed rules do not increase safety, they simply become burdens.

I think I'll leave it at that.

**The Chair:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Yao:** Thank you, Madam Chair. I'd like to speak to the subamendment on the insurance coverage. It's about freedom of choice. That is the epitome of this amendment. The choice to choose an insurance provider is the ultimate in freedoms. The subamendment that the Member for Vermilion-Lloydminster has provided us is excellent. It demonstrates the freedoms of our society, the freedoms of choice, the freedom of choice to allocate an individual's resources as they see fit to choose a good, a service, or an asset that is available to them, freedom of choice that demonstrates an individual's opportunity and autonomy to perform an action selected from more than one available option, unconstrained by external parties. When a monopoly exists, the consumer doesn't have a choice of freedom.

The Workers' Compensation Board, WCB: the hon. Premier, the hon. Member for Edmonton-Strathcona herself, has previously expressed her concerns about this sole-sourced agency that Albertans rely on. By having options, by giving the ability to choose, it gives the consumer the option to have a better choice, a better service, a better product, the opportunity for a better overall quality of product or service. This forces competition to get better to provide that service, that product, that is equivalent to or, if it is not equal to it, then better. Competition is good.

Madam Chair, in one study the Heritage Foundation 2011 Index of Economic Freedom report showed that there is a strong correlation between the index of economic freedom and happiness in the country. Here in Canada we are quite happy. We have the freedom of choice in so many aspects of our life. This House is based on freedom of choice. The people have the choice to choose a political party, a group of Canadians, to lead their legislation. Though members from the opposite side would prefer more of a socialist system like China or Venezuela or Russia, thank God we live in Canada. Here people have the choice of a political party that reflects their beliefs, or in some cases it is simply an opportunity for change, but at least they have that choice, as we have seen here in the 2015 elections in Alberta and Canada.

Insurance is a product, an equitable transfer of the risk of loss from one entity to another in exchange for money. It is a type of risk management that is used to hedge against the risk of loss. With most people, as an example, when we insure our vehicles, we have options. Each option might provide slightly different services, slightly different products for slightly different rates, but we can sift through those options. We have that freedom of choice to look through the various options that are available to us and to choose the one that fits us as an individual. Freedom of choice is a basic Canadian value.

Our government leans more towards that socialist side. You know, they have members and staffers that value more the teachings of Karl Marx than those that teach the values of liberty and freedom. That is a thought that scares me, Madam Chair, a group in government that does not believe in the basic core Canadian value of freedom. This amendment provides us with that freedom of choice. It provides us with an option to give an agency some competition. This is the epitome of a basic Canadian value. It is the freedom of choice.

I suggest that all members of this House strongly support this subamendment because it truly reflects your values of choice and

freedom and whether you're truly a Canadian or whether you truly want a socialist state.

Thank you, Madam Chair.

**The Chair:** The hon. Member for Lacombe-Ponoka.

9:00

**Mr. Orr:** Thank you, Madam Chair. I forgot one little note that I did want to add, and I think it relates to the previous comments about the amendment and the reality of insurance. I did also want to comment on the Member for Athabasca-Sturgeon-Redwater's comments about the size of the pool, that the larger the number of people, the more the rates go down, and that is all a hundred per cent correct. I couldn't agree more. The reality, though, is that the actuarial pool of private insurers is a lot larger than one little province. Private insurers cover the entire country in many cases, not always but in many, and sometimes they actually are international and cover the entire continent. The actuarial pool of those private insurers is much larger than one little province, Alberta, and the WCB's insurance pool is actually very small in relation to most of the insurance world that is out there, and that's one of the reasons it's so expensive.

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

**Mr. Smith:** Thank you, Madam Chair. You know, one of the values of doing what we're doing tonight is that we do get a chance to listen to more than one perspective, and I value that. I know that in my classroom one of the things that I spoke about with my kids at great length was that you do need to listen to another point of view, that it's important to listen and to consider, and sometimes you have to adjust your thinking.

I'm going to be speaking in favour of this subamendment, but as I've been listening to the various arguments that go back and forth across the Chamber, it's been fascinating for me to listen to it. The Member for West Yellowhead said that this bill is about workers' rights and nothing else. Well, the member is correct. This bill is about workers' rights, but it's also about more than just workers' rights. It's not just about workers' rights and nothing else, at least from my perspective. He said that it's about respect for workers' rights and nothing else. Well, I would agree with him. It is about respect for workers' rights, but it's about more than just respect for workers' rights.

I think that perhaps one of the things that is holding us back from creating a bill that actually serves farmers in this House tonight and for this past week has been that this is more than just a bill, and this amendment speaks to this, Madam Chair. This bill is more than just about workers' rights and businesses, and if you listened to the farmers that I've been hearing from, if you've read any of their letters as they come into your offices, perhaps the one thread that ties this all together is that farmers are saying: we're not just a business, and when we hire workers, they're not just employees.

So we've got two very different views being espoused here between the government's position that this is about safety and safety rights and only about safety or that this is only about workers' rights when the farmers are trying to explain to the government that this is about so much more. You'll notice that you rarely hear them talk about: my farm is a business. They talk about a family farm, and I think that speaks to part of the conflict that's going on here, part of the dynamic that's being heard in this Chamber, and maybe as legislators, as 87 members that have been elected to this Legislature, we need to consider that dynamic that's going on here.

You know, I'm not going to stand here and try to tell you that farming isn't a business. We can see that. When you hire employees

and when you do this to make a living and you receive an income from it, it's obviously a business, but that doesn't mean that it's only a business. I know because I've grown up in a family of farmers that have many, many times, all of the time, hired workers on their various farms.

When you've got a 64-section ranch in southern Saskatchewan, you don't farm that farm without help. When I was growing up, at various times all of my aunts and uncles had farm workers for at least part of the year or sometimes for many years. It's been my experience that those farm workers, while they are workers and they did expect a wage and they did expect to be treated fairly and to be provided with safe working conditions, were far more than just workers. In many cases they did become part of the family.

We're dealing with a business here, Madam Speaker, that is more than just a business, that has other values and interests and important questions to consider. So when we speak to this amendment tonight and we consider the idea of choice for insurance, I think we have to remember that this is more than just a business.

So let's take a look. We know that the Premier herself and many of the members in this Chamber have very convincingly spoken to the fact that there are some severe problems with the WCB at times. It's not that it's an insurance program that is unworthy of support but that it has some significant problems. On my side of the family my father was the first life insurance broker in Edmonton. My brothers are still life insurance brokers. They have spent many, many years providing employee benefit programs for businesses. It's not that I'm an expert on this, because I've never been in the insurance business, and I bow to your expertise.

But I do know this. I do know that because they're insurance brokers, one of their prime areas of responsibilities is to take care of their clients, to speak on their behalf, to ensure that that insurance program and that insurer are dealing fairly with the clients and with the employee benefits programs that they are placed under. I'm not going to say that it never happens that an employee might have to go to court, but I believe that the vast majority of times the insurance companies and the insurance brokers and the agents that are a part of that industry ensure that the fair and appropriate payout is done for their clients. I think that to paint any other picture is to take, again, an industry and probably unnecessarily paint it with too broad a brush. [interjection] Fair enough.

I would echo the comments of one of the members of this Assembly when we talk about the idea of choice and how important choice is. Every one of us in this Chamber at one point in time in our lives decides that we have to have choice in our lives. As a matter of fact, our lives become important and they become significant and they become meaningful to us because we have choice in our lives. Now, that doesn't mean that choice is unfettered. We restrict choices, but in a democracy the default position of every democracy is always freedom.

If you take a look at the Charter of Rights and Freedoms, that doesn't mean that my freedom of speech – although I have the privilege of speaking in this Assembly and I can say things that I can't say outside and be held accountable, there are limits to that freedom of speech in the real world. It's a part of what living in a democracy is all about, balancing those rights and those freedoms in what we would consider to be reasonable way in a free and democratic society.

#### 9:10

I guess the question that I've got to ask the Legislature and the members of this Legislature tonight is: is this amendment reasonable? Is it reasonable to think that the workers of this province and the employers of this province should have the

freedom to choose which insurance programs they would offer their workers or which their workers would be allowed to have? I believe that it's a completely reasonable answer and would be seen as being reasonable in a free and democratic society to allow the employers and the workers to have freedom of choice.

I believe this subamendment actually speaks in a very positive way and actually makes this bill better. I really believe that if we are honest with ourselves and we set aside the party politics and we really ask ourselves, "Is this making this bill better?" we would support this. I know that's a challenge. I guess I don't set that challenge out to the backbenches because we know that in party politics sometimes those decisions are made in the leadership as to how we're going to vote, how we're going to support, but I'd throw that challenge out to you. This is one of those opportunities that the government has to show real leadership.

I don't see a downside to providing choice on this subamendment. We know that there are examples of lots of organizations out there that allow for choice. I don't really want to get into the debate about whether or not state insurance for car insurance is better than private insurance for car insurance. I'm not sure that we need to go down that path. I think it's a red herring. [interjection] Sorry, hon. member. I think we need to consider the fact – and it's the reality; it's the truth – that every province makes some exemptions for farm workers, especially in labour laws. Even in Saskatchewan and Nova Scotia and Prince Edward Island we've got the WCB. We just make a few more exemptions in Alberta. I think we need to consider that we do that because we believe in freedom, in reasonable freedom, in this province. Again, I brought up in my very first speech that our motto in the province of Alberta is – what? – strong and free.

I think it's important that we provide and we allow our citizens this opportunity. Getting injury insurance for all employees is a good goal. I don't think that side of the House or this side of the House is going to disagree with the fact that we should have and want to make sure that our workers are safe and that they are covered by some form of insurance. I don't think that's the issue here today. But because that's not the issue, because we can agree on that, I think we should be able to agree on this subamendment.

I believe that if we were to take this bill to consultation and if we were to ask the farmers, based on the feedback that I've received and the correspondence that I've received, we would find out that the farmers of Alberta would support this subamendment.

I guess I would speak to a private conversation that one of the members and I had a little earlier today. You know, I can't speak for anybody else but my own actions in this House. I know that I have not gone out and tried to entice people to write me letters. I have talked with people, and in having conversations, I've said to them: you know, put your thoughts down on paper and send them to me. But I've not gone out and searched the highways and the byways of my constituency and asked for people to send me letters. This has been a grassroots thing, as far as I can see. When these farmers have come to me, it's not because I have been searching them out; it's because they have been wanting to tell their MLA what it is that they want. I've read the letters, and I've read the e-mails, and I've talked to my constituents. I believe that they would want me to support this subamendment.

So, Madam Chair, I would ask that the House consider supporting this subamendment and surprise me and the farmers of Alberta. Thank you very much.

**The Chair:** Any other speakers? The hon. Member for Olds-Didsbury-Three Hills.



**Mr. Cooper:** Thank you, Madam Chair. It's my pleasure to rise and speak to the subamendment. I might just begin by saying that I fully support this subamendment. The reason why I support this subamendment is because I've had the opportunity to consult and hear from a lot of farmers and a lot of ranchers who have expressed concern about the lack of choice.

I had the opportunity today in a driving snowstorm to make my way to the constituency, the wonderful constituency of Olds-Didsbury-Three Hills – the wonderful constituency – and was joined by the hon. minister of agriculture, and I thank him for coming down. I'm not sure that the over 800 people who joined us in the meeting, some of them my close personal friends – I think today I actually made a few new friends as well, some that I didn't know but had the opportunity to talk to about this piece of legislation and to hear some of their concerns.

The people who joined us there in Olds today are so passionate, not only about this piece of legislation but about choice, about freedoms, that they would travel from near and far to come and express their concern and opinion around this piece of legislation, and they did it in ornery conditions. There was a significant convoy, reportedly up to five miles long. I know that I showed up at the venue and the convoy had already been arriving for quite some time, and for 25 minutes after the time that I arrived, a steady stream of vehicles came. The conditions were pretty ornery. I understand that they lost a combine on the way because of the road conditions. They were risking life and limb if you will. The reason why they are willing to do that is because, as my hon. colleague mentioned, this is more than their business; this is their life.

What this subamendment does is that it continues to provide choice that makes a difference in their lives. Madam Chair, today at that meeting every single person that I spoke to is concerned about farm safety. They're concerned about ways that they can make their operation safer. They're concerned about ways that they can keep their kids safe and their grandparents safe and their friends and neighbours and anyone who comes onto the property safe. That is always at the fore of what they do. When it comes to the subamendment, their concern is that they're being forced into a system that they know is broken, that the Premier knows is broken.

9:20

Madam Chair, the number one complaint that the constituency office in Olds-Didsbury-Three Hills receives isn't about the abysmal performance of AHS although it is abysmal. It isn't about the lack of direction that some departments provide. It isn't even about maintenance enforcement although that is number two. It is about the frustration and the pain, the heartache, and the havoc that is wreaked in the lives of Albertans by WCB. We've had this robust discussion around this being a farm safety bill, and just a few minutes ago we heard the hon. Member for Athabasca-Sturgeon-Redwater say that this isn't as much about WCB as it is about OH and S. So the question begs to be asked: is this about farm safety, or is it about WCB? In his words: it's about more than that; it's about OH and S.

Farmers are confused. Ranchers are confused. They don't understand the direction that this government is actually trying to lead them in. Then they say to members on this side of the House and, I'm certain, members on that side of the House: "Please try to make this bill less bad. Try not to take away some of the fundamental freedoms, including choice, that we enjoy." Many, many farmers and ranchers across this great province of ours already opt in to the WCB program if they like to, and if they don't, many provide care and attention, that their employees deserve, in the form of other coverage.

I can tell you, Madam Chair, that one of the things that I heard today from the very deeply concerned constituents of Olds-Didsbury-Three Hills was around their frustration that the government is saying that this is a safety bill and often implying that farms are a horribly unsafe place and that farmers and ranchers regularly create conditions that don't allow employees to refuse unsafe work. While I believe that those things, as horrible as they are, quite likely happen across this province, members of the farming and ranching community, just as they are frustrated about the lack of choice that they quite possibly will end up with, are frustrated with this sense that the government is communicating, I would say, another piece of misinformation on behalf of this government, that farms and ranches are unsafe and that farmers and ranchers that are employers are horrible, horrible, horrible employers and that they continually create unsafe workplaces for their workers, which is categorically untrue.

We've seen the government talk about the WCB piece, the OH and S piece, and then they said: this isn't about the family farm. They've taken it out of the farm safety realm, and they've said: this is actually about paid workers, paid workers not having WCB or similar insurances. When they've taken it from a safety bill and made it about a workers' bill, the question begs to be asked: is this really a piece of labour legislation, or is this a piece of farm safety legislation? The question is an important one. We've seen the Premier, ever since 2009, when she stood in the Legislature media room next to the United Food and Commercial Workers Union, champion the rights of farm workers. The question that they were asking today in Olds is: is this about championing farm workers, or is it about championing safety? We've heard all sorts of different things.

This breakdown in trust has created significant concern, which is why they – "they" being the folks that I spoke to in Olds-Didsbury-Three Hills today – don't trust that this is only about WCB. They're concerned that not only are pieces of their lifestyle being taken away but their choices are being taken away. In fact, the unintended consequence of this legislation is that it's going to make it worse for workers, not better, because while the abusers of the situation, the ones who are actually creating unsafe workplaces – well, we would be wise to ensure that that doesn't happen ever again. The net consequence for the vast majority of workers who have other insurance: they may actually be worse off when this bill passes than they were today, and that is a shame. It's one of the reasons why I fully support this subamendment.

Madam Chair, I will close with this. The Official Opposition has had the opportunity to provide a lot of context and good ideas for this government to consider, but my concern is that the Premier and the cabinet have dug their feet in a little on this. They're not really listening to the farmers and ranchers across this province; they're not listening anymore to the opposition. When we've seen the government make a conscious decision not to listen to the opposition, you know what we've seen? We've seen the government have to turn around, go back, fix the error of their ways. I think that 7.25 per cent pay raises come to mind. Killing bills that shouldn't have been killed and then sending them to committee comes to mind. When we get into a place as legislators in our mind, where we come to the point where we say, "Don't confuse me with the facts. We've made up our mind. We know better than farmers and ranchers. We're going to take away their choice. We're going to take away pieces of their lifestyles and their freedom," we are not better off in this province.

This is a small way that we can preserve some of the benefits that many farm workers across this province enjoy, and that's why I will fully support this subamendment.

**The Chair:** I'll recognize the hon. Member for Banff-Cochrane, followed by the leader of the third party.

**Mr. Westhead:** Well, thank you, Madam Chair. I'm afraid that I am going to have to speak against this subamendment. I just want to start out by reminding the House what the title of this bill is: Enhanced Protection for Farm and Ranch Workers Act. The key word here is "enhanced." We all know that farmers and ranchers already have safety top of mind. There's no questioning their commitment to safety for everyone in the agricultural workplace. There's no question whatsoever. This bill is about enhancing the already exemplary safety practices that exist. Given their already strong commitment to safety I'm confident that employers will have no problem with the common-sense provisions of the OH and S Act and the specific rules that they themselves will have a direct say in crafting over the course of the coming months and years. I think it's important to keep that in mind as we debate this subamendment.

Madam Chair, it's at times like this that we can really sense that we are playing a major role in the history of our province. Much as we did with bills 7 and 204, we are giving some very basic and fundamental rights to a group of people who have gone without them for far too long. I say: it's about time.

Speaking of history, in 1987 Alberta along with P.E.I. were the two last provinces to bring in mandatory seat belt laws. On the seat belt debate, back in 1987, they made some of the same statements we've heard during this debate on farm safety legislation, things like: educate, don't legislate. Does that sound familiar?

With all of the various opposing points of view being put forward on this subamendment, I decided to look toward some of the academic research to inform my own opinion. I can tell you, Madam Chair, that the research just doesn't support some of the claims that have been made here.

9:30

By the way, I really want to compliment the Legislature Library staff for assisting me with my literature search. They are fantastic down there. I will be tabling some of the research to which I'm going to be referring to this evening. I promise to not go on at length citing the research, Madam Chair, but since the library staff worked so hard, I owe it to them to mention a few of the germane points that helped me inform my decision.

First of all, I'd like to provide a brief synopsis of a Cochrane systematic review. Excuse me if I mispronounce the author's name. It's a research review by Risto Rautiainen and his colleagues. Dr. Rautiainen is based out of the Great Plains Center for Agricultural Health at the University of Iowa. For those who have not heard of Cochrane systematic reviews, these publications are held in very high regard by academic researchers. A Cochrane systematic review attempts to identify, appraise, and synthesize all of the empirical evidence that meets prespecified eligibility criteria to answer a given research question. Researchers conducting the systematic reviews use explicit methods aimed at minimizing bias in order to produce more reliable findings, that can be used to inform decision-making.

Now, keep that in mind, Madam Chair. This research is of very high quality and supports the approach that this side of the House is taking. The title of the study I'm referring to here is Interventions for Preventing Injuries in the Agricultural Industry. The author of this study states unequivocally: "The selected studies provide no evidence that education interventions are effective in decreasing injury rates among agricultural workers." Paraphrasing the article now, the point is that education by itself is not effective but is effective when combined with other complementary interventions.

To that end, the same author draws the conclusion that "insurance premium discounts as a financial incentive decreased injuries."

I am pleased to report that this is exactly the way our WCB system works. Indeed, there are several financial incentives that WCB offers to this end. The first one is called partners in injury reduction. This is a voluntary program that can result in up to a 20 per cent reduction in claims while simultaneously creating a safer workplace.

Another incentive that WCB provides is premium reductions for employers that provide modified work for workers who are injured on the job. On a similar note, workplaces can partner with an occupational injury services clinic to further reduce their premiums.

Yet another financial incentive, Madam Chair, is called a poor performance surcharge, or PPS. According to the WCB website PPS applies to large employers with very poor accident experience. These employers have reached the maximum surcharge for their size and experience rating plan. The additional surcharge is designed to encourage employers to take immediate action to improve health and safety and their claims management efforts to help reduce injuries and avoid further surcharges.

So there you have it. There's just one substantive piece of evidence that we can look to in order to inform our way forward. For the very reasonable cost of WCB employers will enjoy indemnity, and workers will enjoy going home alive and with all of their appendages.

**Ms Notley:** And an income.

**Mr. Westhead:** And an income.

Madam Chair, that bit of evidence supports one aspect of what we are proposing here.

I'd like to draw your attention to yet another academic research article that supports our position. This one is in relation to the application of the Occupational Health and Safety Act to workplaces. This particular study is titled Perceptions of Risk, Stressors, and Locus of Control Influence Intentions to Practice Safety Behaviors in Agriculture by Dr. Pamela Dee Elkind. Dr. Elkind is a professor and director at the Center for Farm Health and Safety in Eastern Washington University. I would like to quote some passages from this article, Madam Chair, because this article is rich with information. First of all, the author states: "The assumption that one only needs to provide information and develop knowledge, which, in turn, changes attitudes in order to change behaviour, has been demonstrated here to be simplistic at best and perhaps invalid."

I'll quote another passage because this is really good stuff.

**An Hon. Member:** More facts in the last five minutes than ... [interjections]

**Mr. Westhead:** Yes. Thank you. Lots of facts here tonight, some of them real, some of them not so real.

Another: "Sociologists argue that structural variables involving ... government policies lead to a contextual situation in which safety decisions are made."

One more quote, Madam Chair, and then I'll get to my point. I promise. "Three intervening variables make a significant contribution to the attitudes leading to the behavioural intentions equation. These are risk perception, chronic stress, and locus of control."

Now, there are a couple of important things here, Madam Chair. First of all, it's clear that there are a lot of complex variables at play affecting people's behaviour as it relates to risk taking and injury prevention. Here again we've heard that providing education in and

of itself is simply not good enough to alter injury-avoidance behaviours.

Another thing we can learn from this particular article is that government policies provide a context around how safety decisions are made. Indeed, we've heard before that sometimes legislating common-sense things like seat belts and occupational health and safety laws saves lives.

Finally, Madam Chair, we've learned that attitudes affecting behavioural intentions involve something called the locus of control. What is the locus of control, you might ask?

**An Hon. Member:** The Premier's office.

**Mr. Westhead:** Yeah. The Premier's office is probably an accurate description.

The locus of control as defined by the research, Madam Chair, is "the degree to which outcomes are attributed to one's own ability to alter a situation as opposed to external factors such as powerful others, luck, or chance."

An internal locus of control, the author states, is generally associated with the "adoption of health-maintaining lifestyles," and that's a good thing. By contrast, "an external locus of control often results in a lack of health-maintaining behaviour," and that's a bad thing. This so-called externality can lead to disconnection, apathy, a lack of response to risk, and a feeling of being out of control.

Now, I know this research can sometimes be a little dry, but I find this stuff fascinating.

**An Hon. Member:** We're riveted.

**Mr. Westhead:** Yeah. Okay. Great. I hope the folks watching at home are having a great time, too.

**Dr. Starke:** They all fell asleep a long time ago.

**Mr. Westhead:** Well, I'm building my case, and I'm coming to my point. I promise.

The point here is that the Occupational Health and Safety Act that we have here in Alberta allows for those who fall under its jurisdiction to have a meaningful say in their own occupational health and safety. This comes back, again, to fostering an internal locus of control, and that's a good thing. This provides both employers and employees a substantive role to play in jointly determining their own health and safety.

Imagine that, Madam Chair. We already have an OH and S system here in Alberta that research indicates is positively associated with health-maintaining lifestyles. Now, that's something I can support.

Madam Chair, I've used a lot of my time reflecting on the evidence out there that strongly supports the approach that this government is taking, and there's a lot more that I just don't have time to mention. Sorry to disappoint those who were looking for a little more. [interjections] I'd be happy to share the articles with you. There's some light reading for you.

Given all of these reasons, I am compelled to support this farm safety legislation and reject the amendment that we have before us. Notwithstanding all of that, there are many, many other good reasons that we need this legislation. One of those, I think, is the suggestion that our current laws, that exclude an arbitrary subset of workers, are potentially considered unconstitutional, and that's a dangerous thing. We are opening ourselves up to a constitutional challenge because we're excluding a group of workers based on arbitrary reasons. Now, I'm not a lawyer, so I'm not going to wade too deeply into that debate, but I know that there are certainly some compelling arguments along those lines.

**9:40**

I know that other speakers on this side of the House have put forward some very eloquent reasons to support this bill: the members for Athabasca-Sturgeon-Redwater, Fort Saskatchewan-Vegreville, Leduc-Beaumont, Calgary-Klein, Calgary-Fort, and the Member for Stony Plain, to name a few. I believe there may have been a few more speakers. I know there are many very good reasons out there, that we still have yet to name, and I'm going to leave that in the very capable hands of my colleagues on this side of the House.

I thank you very much for your attention.

**The Chair:** The hon. leader.

**Mr. McIver:** Well, thank you, Madam Chair. I was very interested to hear that the hon. member was compelled by the locus of control. My observation is that the locus of control is the occupant of room 307, which is the Premier's office. I'm sure he is compelled by that locus of control. On that at least we can agree. I'll give attribution. It was one of my colleagues to the right here that pointed out that the locus of control was the Premier's office. Good observation, if you don't mind my saying.

Madam Chair, I was looking at this amendment, and I have to say that it certainly seems to make sense to provide some choice in insurance. Certainly, the government, I'm sure, will agree with their locus of control, the Premier, who has some very negative things to say or has said some negative things about the Workers' Compensation Board, as we've discussed earlier in the House. It would seem natural that the government would say: well, if we're going to force people to have insurance, why wouldn't we give them a different choice as well? At this point there's every reason to believe that it may actually please the locus of control if there was a different choice.

Let's think about what we're doing here, too, and how many people we're doing it with. There's a report that was published by the Alberta Centre for Injury Control & Research at the University of Alberta and sponsored by none other than the government of Alberta. In this report it talks about agricultural-related injuries in Alberta. Now, in that report there's a chart on page 21 that is entitled Agricultural Deaths by Relationship to Farm Operator, and it covers a period of time from 1990 to 2009, so 20 years. It's a pretty good sample of where agricultural deaths come from. It's particularly pertinent, I think, to this discussion, Madam Chair, because it does talk about the relationship between those who died and the owner of the farm. Of course, with the amendment that the government has proposed, they've eliminated a lot of those groups of people.

Out of the deaths talked about during that 20-year time period, 139 of those were the operator of the farm. Of course, they wouldn't be included in the particular legislation that the government has as the owners of the farm. Out of those deaths, another 68 were the child of the operator – that wouldn't be included in the government's legislation – 15 of those would be a child visitor, which I think in most cases would not be, and 11 of them are other relatives of operator. In other words, according to this, about 233 of those farm deaths during those 20 years would not be covered by the legislation that the government is putting forward, a pretty high percentage.

Who would be? There's a group called hired worker, 26. There are two other categories – we'll give the government credit for that – one called adult visitor or contractor, but it could be a contractor. We'll say that they're included, the 13 of those. There's another category called other, so I clearly can't make any assumption, but – you know what? – I'll make the best assumption I can for the government.

But even at that, even if you figured that, the way the government currently has the legislation structured, it would only cover 49 out of 282 deaths. So what that tells me is that under the current government's legislation there are very few of the agricultural deaths that will actually be covered, which really kind of runs completely counter to the government's argument that everybody has to be included in this and everybody is going to be protected and it's going to keep everybody safe and nothing bad is going to happen if we put this in place. You know, when you take this to the logical conclusion, you end up kind of wondering what the government is actually trying to accomplish.

When you come to bring that small number of people that are involved – private insurance. Madam Chair, there's actually a better chance, probably, that farm and ranch operators and workers could get better insurance from a private company than they could from WCB, just based on volume. According to this again, since out of the 282 deaths there are only 49 covered by the government's bill and 233 not covered by the government's bill, there are a lot more people that need coverage that could get it from the private company than could get it from the WCB under the government's legislation. It's simple math.

You know, insurance is about spreading risk. I think most of us understand that. If it wasn't about spreading risk, you wouldn't have insurance; you'd just wait till your house burned down, and you'd save money to build it again. But the fact is that everybody throws a couple hundred or a thousand dollars a year into their insurance bill, and if you're one of the unlucky ones whose house burns down, you spend everybody else's thousand dollars to rebuild your house. That's insurance. That's essentially the nature of it, and if there's some left over, the insurance company gets it. Since they've stayed in business, there's always some left over. That's just the nature of business.

The point is that if you want to get a good deal on better insurance, you need lots of other people buying the policy so that you can spread that risk and have a bigger base of donors to that risk management pool of money, that you all share in. Again, only the unlucky people get to dip into that pool of money, whether it's for a death or a fire or an injury, whatever it happens to be. Of course, according to this report the vast majority of those would not be covered by the government's current form of the legislation. So it only seems incredibly logical that private insurance would be a more likely, a more viable vehicle for farm operators and workers to use to have that insurance.

Here's what we do know and, I think, has gone missing in this conversation, Madam Chair. The fact is that most – I won't say all. "All" is a big word. Two words that we should be careful about using in politics, in my opinion, are "always" and "never," because it's a long life. There have been many times in my life when I've either said "I always will" or "I never will," and I have lived to regret saying that. So I won't say "all," and I won't say "none," but I will say that the vast majority of farmers right now already have insurance. They do. They have it. They have a relationship with the insurance company, they understand how it works, they've budgeted the payments. It's working for them. So why would you not allow them to continue, as a choice, as an option, to have what they're comfortable with? Now, this would be doubly true if the government was interested in making those people happy with the government's decision. Let them stay with what they're comfortable with.

**Dr. Starke:** It doesn't seem to be a priority.

**Mr. McIver:** No, it doesn't seem to be a priority right now.

I see a piece of information from my colleague from Grande Prairie-Wapiti – we have a real, live farmer in our presence, folks, a farmer that knows this business; he's not the only one, but he's in our party – that 90 per cent of farms in Alberta already have insurance. Some of them actually have WCB. Some of them have chosen other insurance companies. So if the government is truly interested in having compliance – and I think it's a pretty good assumption that if the government is going to pass legislation, they want Albertans to comply with that legislation – why would you not actually offer them the choice that they've already made? That choice is the option to have WCB or the option to have other insurance. You'll need fewer inspectors. You won't have to chase people around as much to comply with your legislation if you're providing a choice, that they've already decided and already determined through their current behaviour is a choice that they want.

9:50

Madam Chair, I think that the logic is inescapable here. I think that the subamendment is undeniably sensible. I think that the history and the evidence, based on the fact that, again, 90 per cent of farms in Alberta already have insurance for themselves and their employees, are a tremendous indicator that this subamendment – well, here is what it doesn't fix. It doesn't fix the lack of consultation with farmers and ranchers. The only thing that will fix that is consultation with farmers and ranchers, but until the government comes to the obvious conclusion that they should stop and do that, this will actually make the legislation just a little bit better. If it won't make it better – I'll butcher the language – I'll say that it will make it less worse. Yes, I did butcher the language.

The point is that it won't make the legislation good, but it will make it less bad if you support this subamendment. It makes sense. You might make some people less unhappy. You'll get better compliance. You'll actually extend to people a choice that they're already able to make and are comfortable with. For that particular reason, I'm going to support this, and I recommend that all members of the House join me in so doing because this is a good idea.

**The Chair:** The hon. Member for St. Albert.

**Ms Renaud:** Thank you, Madam Chair. We've spent quite a few hours in this House, so I've had a lot of time to look through *Hansard*, a lot, a lot, a lot of time. I've gone back two, three, five, 10 years just to get a better idea of what's been going on around farm and ranch safety, and I saw years and years and years of various governments being asked by various members to please remove the exclusion of farm and ranch workers from occupational health and safety, years of various members asking for coverage for farm and ranch workers. Politicians for years have used the very same rhetoric to justify their decisions to not do anything.

All Alberta workers have the basic right to know about unsafe working conditions. They all have the right to refuse unsafe working conditions. They have the right to a meaningful life following a serious injury. I keep hearing that farmers and ranchers already have insurance, but I can't seem to find solid stats. I think you mentioned that the Member for Grande Prairie-Wapiti thought that 90 per cent had coverage. I haven't found those stats. I've been asking the question. I read 7 per cent somewhere. I haven't seen those stats. So if the number that I've read is incorrect, I'd love to know what the actual number is. What I did read is that agriculture has the highest fatality rate of any Canadian occupation. A lack of access to statutory protection is one characteristic of precarious work.

I managed an organization called Lo-Se-Ca Foundation, and we had employees, anywhere from 100 to 275. We also were subjected to occupational health and safety inspections, and often we did have inspectors come in and look at equipment that we used and check out the places where people lived, where they played. They didn't necessarily always grow things, but that's where they lived. It was their home; that's where they functioned. Sometimes it was an invasion of privacy, but at the end of the day, it was for everybody's safety. It was on a smaller scale, for sure, but at the end of the day, it was for everybody's safety, the employees and the people that we were supporting.

Being accused of being an urban MLA or legislator and therefore unqualified to discuss or have opinions about issues related to rural communities I found incredibly elitist. Is it fair to exclude the opinion of rural MLAs when we discuss urban issues? I don't think so.

I want to take you back to the comment shared by a physician, the Member for Edmonton-Whitemud; and an RN, the Member for Banff-Cochrane, members of this caucus, who remind us again and again that if we save one life or prevent one injury, we're doing our job. The injuries and deaths that occur on farms and ranches are preventable. I'm not going to talk about the cost of the injuries because that's not the point here. Shame on us, all of us, for not preventing them for years.

Years ago, when I was a student, I worked at the Abby Road Housing Co-op, where a portion of the condo units were wheelchair accessible for people that needed that kind of access. Let me tell you what life is like for a person with a life-changing spinal cord injury. I didn't have the injury, but I got to see it on a daily basis, and in many cases these injuries were preventable. They were no longer able to do the things that they loved to do, whether it was farming, riding a motorcycle, driving a car. They were no longer able to be with the people that they loved, and every aspect of their lives changed. What once was an accessible, unlimited future became a series of barriers. Certainly, life can be wonderful on two wheels, but it's never the same. I think it's incumbent on us to prevent any injuries we can as soon as we can.

You know, you keep telling us to slow down and stop, but that's the same message I read in *Hansard* for years and years and years. Who pays for the people who lose their lives while we play politics? Who replaces the income for injured workers? Who pays for the cost of daily living for families who lose income when a loved one dies? And at what point will you accept the political risk associated with regulating farm safety because it's the right thing to do?

When it's all said and done, the preventable deaths and injuries of workers are our responsibility. For that reason, I will not be supporting this subamendment.

Thank you.

**The Chair:** The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Chair. I want to talk about the lack of consultation, I want to talk about the loss of trust, I want to talk about the importance of choice, and I want to talk about making this bill less bad.

My goodness, how hard would it have been to consult? In just a week I've been at a town hall in Medicine Hat with 1,200 people, followed up the next day in Bassano with 500 people. I've been getting letters, e-mails, Facebook messages, LinkedIn messages, direct messages on Twitter, even phone calls by the thousands. Today alone in my constituency office more than 10 people walked in, all asking for a chance to consult, all asking for a chance to be involved in their livelihood, their lifestyle, to continue the work that

in some cases their great-great-grandfather and -grandmother started generations ago.

The *Western Producer* and five editors, collaborating, came out today with some of their thoughts on it from Saskatoon. I just want to read a couple of lines. The story starts:

Alberta's NDP government has bungled Bill 6.

The Enhanced Protection for Farm and Ranch Workers Act has galvanized agriculture into unprecedented opposition, and with good reason.

Unprecedented opposition.

**10:00**

When I first got interested in politics, in about 2010, 2011, I met a fired-up ranching and farming community then, and it was over what the previous PC government had done on infringement: stripping, taking away covenants and property rights; taking away, without consultation, without access to courts of appeal, and without compensation, property rights, the bundle of rights attached to properties. I remember, in the early going, town halls of 250, 450 people, phone calls. Madam Chair, it's been nothing like this. This is much more galvanized. This is much more serious. To nail it down as simply as I can, it's about Albertans that want to be consulted. They want to have a say and a part in how this goes forward.

The *Western Producer's* five editors go on to say:

What is the rush, farmers ask. What would be the harm in delaying legislation until the agricultural community understands its ramifications and can prepare for its implementation?

Jeez, that doesn't sound unsafe, un-Albertan. It sounds reasonable when your family has been on a piece of land for four or five generations, when you might have millions and millions of dollars invested in it, when it's not only your job but it's your life.

The article goes on to say:

There could have been widespread support from farmers and ranchers for legislation that meets that goal . . .

That meets the government's goal.

. . . while recognizing the unique needs of the sector.

My goodness, has this side of the House been saying that for seven days?

Instead, the government completely misread farmer opinion . . .

Completely misread farmer opinion.

. . . and solidified the general feeling that the NDP, with a largely urban electoral base, does not understand rural Alberta.

That's the situation that our NDP government has created.

The five editors go on to say:

The Alberta agriculture and rural sector is worth \$77.4 billion . . . It is a sector that would be worthwhile to consult . . .

Here is some advice for the Alberta government: when you find yourself in a hole, stop digging. Stop the legislative procedure on Bill 6, undertake consultation and build some agreement on effective ways to improve farm safety and farm worker protection.

It's the execution.

To our government and our government caucus: you're dealing with a group of people who have built Alberta, who take pride in the way Alberta is, who have survived droughts, BSE, and country of origin labelling just in the last few years, labour shortage, property rights attacks, and who keep coming back as strong Albertans to pay their taxes, to build our province, and to build for the next generation.

Now, I want to talk for a second about the loss of trust. Obviously, if trust is high, if trust is there, compliance will be higher as well, but we've seen a Premier and a government rail strenuously against the Workers' Compensation Board, against omnibus bills,

against using closure to shut down debate, and against lack of consultation. Now, all those things were very, very true in our last, 44-year government, but, my goodness, you all wear this now. This lack of consultation, this borderline hypocrisy, maybe not even borderline, have caused a loss of trust, that you will wear.

The importance of choice. As a legislator and a conservative I always try to balance things with equity, fairness, and choice. I don't think I can say it better than one of the farmers and ranchers in Medicine Hat. After the first 200 people, all unanimously concerned about not having consultations, spoke before him, he got up to the mike and said something like this: I understand that the workers' compensation part of this bill is effective January 1; currently I have workers and after-hours coverage on all my workers, and carried with that are some extra benefits for health care, for health savings accounts, for life insurance, for other benefits that Alberta families need and that Alberta farmers, ranchers, Alberta employers are willing to pay for. His question was: who in the NDP government is going to come and tell my employees on January 1 that they're losing all these benefits because now I have to carry workers' compensation?

Just another reason why we needed to consult. Just another reason why we needed to work on the implementation time. Just another reason why the hon. Member for Vermilion-Lloydminster's subamendment makes this bill less bad. As he outlined, it clearly talks about that it must be "satisfactory to the Minister." The insurance put in place must be satisfactory to the minister. Many of us have heard, some of us have had first-hand experience with how bureaucratic, employee-and-employer workers' compensation has many, many failings. What an opportunity – what an opportunity – to put in a little choice, to put in a little competition, and like the Edmonton Eskimos make the Calgary Stampede's better, possibly private insurance would make workers' compensation better.

Here's the level of distrust that this Premier and this government have created. I've had a few people call me and say: "You know why I think they won't give us choice? You know why I think they won't let this happen? It's because if we get choice, other Alberta employees will want private insurance as well." That comes from employees and employers. NDP government, we recognize that workers' compensation has serious, serious deficiencies. We've recognized that thousands – thousands – of farmers and ranchers want to be consulted to make this better for all Albertans, employers and employees.

Because you're obviously not going to back up and do the right thing and send this to a committee, where thousands of Albertans would make it better, I will express my support and ask for everyone to support the Member for Vermilion-Lloydminster in improving this bill and giving Alberta employees and employers more choice.

Thank you.

**The Chair:** I'll recognize the hon. Member for Red Deer-North first, followed by Barrhead-Morinville-Westlock.

**Mrs. Schreiner:** Thank you, Madam Chair. I am speaking against this subamendment. I think the original bill is the way we need to proceed. Bill 6 is important legislation. Bill 6 is long-overdue legislation. Bill 6 will make work life safer for employees who work on farms and ranches. Employees on farms and ranches deserve to have the same protection as other workers in Alberta. Employees on farms and ranches deserve to have the same protection that workers on farms and ranches are already enjoying in all other provinces in Canada.

**10:10**

Madam Chair, employees on farms and ranches have been asking for decades for employee protection. Bill 6 will give them that protection. Bill 6 will prevent injuries and deaths. That is what we have to focus on. Bill 6 will assist workers and their families in cases of accidents. Serious accidents and even deaths occur while working on farms and ranches. We have to do all that we can to protect each and every one of those employees to the best of our ability. We owe it to all Albertans. I am very proud to do my part to protect all employees in Alberta, and that is why I am in full support of Bill 6.

Madam Chair, I would like to share just one of the many stories that I have heard regarding Bill 6. A constituent of mine told me that she was very happy that the NDP had moved forward to introduce a bill to protect farm workers. She told me that approximately 13 years ago she returned to Alberta in search of employment and to move closer to her family. Circumstances led her to very unusual employment, at a cricket farm. It was actually a small acreage with big production. There were old farm buildings that had been modified to house the hatchery and the breeding of crickets for pet food. The process included working in temperatures up to 102 degrees Fahrenheit, with a humidity of up to 60 per cent, eight hours a day in the hatchery. Mostly women worked in the barn, and there was no washroom facility except at the house, approximately half a kilometre away. She told me that the employees were expected to go outside behind the barn. This was happening just a few years ago.

Madam Chair, as the operation of the cricket farm grew, problems developed with an infestation of beetles and pesticides. The employees were not provided with masks to protect their lungs. The employees were expected to spread pesticide that was in crystal form underneath the bins where the crickets were held. The bins had to be stocked and moved daily, and this process would crush the crystals, creating dust. The employees would have to sweep the barn daily, causing the dust to move. No masks.

The employees contacted the labour board, and after much communication someone was sent out to do an inspection. Unfortunately, the inspector drove halfway to Red Deer, then realized that this cricket supplier likely fell under different legislation than a farm. The employees were disappointed when the inspector called and said that he could not set foot onto the cricket farm.

Most employees had stayed employed at the farm for only a few months, maybe a year or two at the most. The farm was a profitable business, and the employees were paid fairly well. However, there was much abuse and many unsafe practices taking place. Most of the employees felt helpless as they were dependent on the income. There were a couple of private claims filed against this farm, and at the same time the Canada job bank would not let them continue advertising.

Bill 6 is definitely a great step forward in protecting farm and ranch workers. Madam Chair, I believe that employees on farms and ranches need to work under the protection and guidelines of occupational health and safety and WCB. Bill 6 surrounds the importance of safety. The importance of this legislation is that it provides safer working conditions for those who are employed on Alberta's farms and ranches. I have listened to my constituents. It has been very helpful to identify the opinions and viewpoints of all those who have responded to Bill 6. I have listened to those who support as well as to those who do not. I am proud of Bill 6. I am proud of the Premier and her ministers for their leadership around this bill.

Madam Chair, the intent of this bill is to protect nonfamily paid farm and ranch workers. The intent of this bill is to ensure that farm and ranch employees can receive compensation if the employee is hurt or killed on the job. The intent of this bill is to ensure that the employee has the ability to refuse unsafe work. The intent of this bill is to respect and enforce basic human rights, basic human rights that farmers and ranchers in every other province in Canada already enjoy.

Madam Chair, the intent is to protect the family farm. The intent of this bill is to ensure that farms and ranches are safe workplaces. Let's not forget all the people who have lost their lives while working on our farms and ranches. This bill is for them. This bill is for the present-day farm and ranch workers, and this bill is for the future farm and ranch workers.

Madam Chair, I urge all to support this bill. Thank you.

**The Chair:** Hon. members, just before I proceed with the next speaker, Barrhead-Morinville-Westlock, can I get unanimous consent of the House to revert to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

(reversion)

**The Chair:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Yao:** Thank you very much, Madam Chair. I would like to speak to you and through you introduce three ladies that are up in the gallery here. Helen Kawalilak is a poli-sci major at the University of Alberta, and it is her hospital; Brianna Vaxvick is currently taking a degree in intercultural studies; and Ileana Berezanski has a bachelor of science in animal health and is currently studying veterinary medicine at the University of Melbourne. If you could please rise and receive the warm welcome of this House.

Thank you very much.

### Bill 6

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

(continued)

**The Chair:** Proceeding on, the hon. Member for Barrhead-Morinville-Westlock, and then I believe Edmonton-Centre would be next.

**Mr. van Dijken:** Thank you, Madam Chair. It gives me pleasure to speak to the subamendment. But just for clarification to start with, the Member for St. Albert made a comment about farming being the most dangerous occupation. From a report published in the *Globe and Mail* in January 2014, with statistics from Service Canada's top 10: farming is not in the top position. Loggers and forestry rate number 1; fisheries, drownings and heavy equipment injuries, rate number 2; pilots and flight engineers rate number 3; roofers, number 4; structural ironworkers and steelworkers are number 5; garbage collectors, number 6; number 7 was electric power line installers; number 8, truck drivers and travelling salesmen; number 9, farmers and ranchers; and number 10, construction workers. I thought we'd just get some clarification on those statistics.

The subamendment that was presented by the Member for Vermilion-Lloydminster speaks to allowing choice of insurance programs for farms. I do believe that this does make this bill better. Through the consultation it has become clear to me that many of the farmers and ranchers were asking for this to be considered. When

we do consultation, we need to try and understand what is going to work best for the stakeholders that are involved.

It does make sense to have coverage be mandatory. I agree with the concept. But I see no reason why we need to force WCB. The subamendment does speak to the need to be "in a form and manner that is satisfactory to the Minister," so it would be comparable or superior to what is being offered by WCB. I'm sure that many of the private providers would develop products that would be able to fit those criteria.

10:20

One thing that I did notice with regard to the comments from the Member for Vermilion-Lloydminster: he made the comment that it was \$16 a month. But the gentleman that made the comment in Vegreville made the comment – a lot was happening during the meeting, but I believe that maybe one of the people that was there knows, the MLA from Fort Saskatchewan-Vegreville or our Minister of Economic Development and Trade – that it was \$16 more per month than WCB, which gave coverage 24 hours a day, seven days a week.

When I was in my days of having employees on my farm, that was something that we looked at also. The opportunity to have coverage 24/7 was very attractive to my employees. So that is something that I do believe a lot of our farmers and ranchers would enjoy continuing with. There was another gentleman there that had anywhere from 14 to 16 employees at a time, and he did mention that his staff is worried that they might be in a position where they have to lose the coverage that they currently have. So, you know, the subamendment is really to encourage, to allow choice: mandatory insurance, but allow choice.

One of the very first letters that I received, Madam Chair, actually came from a feedlot in my constituency. It came November 18. The partner in the feedlot says:

Although we had heard rumours that there may be legislation regarding farm workers, the news report of the scope in this proposal has us very concerned. I have not had one farm operator in my circle indicate that they felt this move was necessary. It is not in anyone's interest to have unsafe conditions on their farm. Safety is very important on our mixed-farm operation. We have a private accident and health plan for our 14 employees which is superior to what WCB offers. Something voluntary may be appropriate for those that can't carry the coverage.

[interjections] I think it is possible, but it does need to be clarified, and I think the subamendment does speak to that concern of: are we going to have insurance that is comparable to WCB, and would the minister's office be able to verify that?

This operator says:

We are proud of our farm, our safety record, and operate an efficient business. The last thing we need is more government interference. Employees that don't like the farm they work for and how it's operated are always free to work somewhere else.

Another thing, Madam Chair: I don't understand why the government wants to mandate that all farmers and ranchers buy into the WCB fund. Many farmers I know have their own workplace insurance, and it is better. In fact, Shaun Rathy from De Winton – and I would be pleased to table the letter if it has not already been tabled; I do believe that it has already been tabled – sent me a letter with concerns about mandatory WCB. He said – and I quote – that it wasn't that long ago that the Premier was rallying in front of the WCB building, fighting for the poorly represented and unfairly injured worker who had no choice but the independent, mandatory WCB insurance coverage.

He asks:

Whatever happened to her WCB reform platform? She now intends to enforce mandatory WCB coverage onto even more

Albertans, leaving them at the mercy of the organization to which she up until recently was vehemently opposed. Why?

Just a thought that possibly we could look at, Madam Chair, is that maybe we could start by not having family farms and ranches mandated to pay into WCB when so many are already offering superior coverage on their own without coercion.

Did you know that the WCB has over \$10 billion in assets, with only about 7 and a half billion dollars in liabilities, giving it a funded position of \$2.7 billion, or a funded ratio of 136 per cent? The WCB is rolling in the dough from worker premiums and limiting benefits.

With that, I'd like to encourage everyone to be open to the opportunity to provide choice in coverage. I do believe that the subamendment is very clear that it would be coverage that would be equivalent to and possibly even better than the coverage that WCB is offering. I would speak in favour of this subamendment.

Thank you.

**The Chair:** The hon. Member for Edmonton-Centre.

**Mr. Shepherd:** Thank you, Madam Chair. I hadn't intended to rise this evening, but based on some of the comments by my colleague from St. Albert and an occurrence earlier this evening, I felt it was appropriate that I get up and say a few words. As my colleague noted, of course, it's a bit more difficult for us as urban MLAs to stand and speak to this bill. Certainly, we don't have constituents that are as affected. But the members opposite have asked several times for us to share some of the views of our constituents and how they felt about this particular bill, so I'd like to take this opportunity to do so, particularly as one of my constituents is actually here this evening. He's been here with us for much of the day, and he was here with us yesterday as well because of his own personal interest in this bill.

He approached me as I was leaving the House this evening to tell me a bit of his story, having grown up on a farm, spent time working on a farm, having many family members who currently farm. He told me about the story of his uncle, who was unfortunately killed in a farming accident due to not following proper safety procedures and the normal standards of OH and S, which my constituent is well familiar with, having worked in the trades.

My constituent shared with me this evening that he is strongly in support of Bill 6. He's well aware of the implications.

**The Chair:** Hon. member, could I just confirm that you are speaking to the subamendment?

**Mr. Shepherd:** Okay. Sure. Absolutely.

I did have the opportunity to discuss insurance with my constituent as well, and he shared his thoughts on that with me. I just wanted to acknowledge that he was here with us this evening. I do appreciate his thoughts on this, the fact that he does support this bill in its current form, that he believes that mandatory insurance and OH and S coverage are necessary for all paid farm workers in Alberta.

Thank you.

**The Chair:** Any other hon. members wishing to speak to the subamendment SA2?

[The voice vote indicated that the motion on subamendment SA2 lost]

[Several members rose calling for a division. The division bell was rung at 10:28 p.m.]

[Fifteen minutes having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Barnes	MacIntyre	Smith
Cooper	McIver	Starke
Cyr	Nixon	Strankman
Drysdale	Orr	van Dijken
Hanson	Schneider	Yao
Hunter		

Against the motion:

Babcock	Hoffman	Notley
Bilous	Horne	Piquette
Carlier	Kazim	Renaud
Carson	Kleinsteuber	Sabir
Connolly	Littlewood	Schmidt
Coolahan	Loyola	Schreiner
Cortes-Vargas	Luff	Shepherd
Dach	Malkinson	Sucha
Dang	McCuaig-Boyd	Swann
Drever	McKittrick	Sweet
Eggen	Miller	Turner
Feehan	Miranda	Westhead
Fitzpatrick	Nielsen	Woollard
Gray		

Totals:	For – 16	Against – 40
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[Motion on subamendment SA2 lost]

**The Chair:** We're back on amendment A1. Are there any further speakers to the amendment? Cardston-Taber-Warner.

**Mr. Hunter:** Thank you, Madam Chair. I would like to talk a little bit about this amendment first, and then I would like to propose a subamendment.

Back in the late 1970s, I believe, the governments of the world believed that we were running out of natural gas, so they decided, down in the States at least, that they were going to shut down all unnecessary consumption of natural gas. They decided that greenhouses were considered as nonessential, so they shut them down overnight. The reason why they did that was because they convinced people that the sky was falling and that we were going to be out of natural gas and, therefore, to make sure that all of the houses that need it can have it, to make sure that the people who need it the most will have it. Greenhouses went out of business overnight. It was a terrible situation. What's interesting about that is that we know now that we have well over a hundred years' supply of natural gas. So hindsight is 20/20 vision.

I think that in this situation with Bill 6 we are going to see that the approach by this government was brought forward with fear that the sky was going to fall, that WCB was going to be all of a sudden the silver bullet that fixed everything. I'm concerned that we've heard this argument quite a bit this evening. We have seen some fantastic amendments come forward, good amendments that would have at least mitigated some of the problems that farmers would have faced with this bill. Over and over again we have seen this government quash these amendments.

I have been made aware that this evening is extremely important to farmers and ranchers. They're watching, and they are hoping and praying that something good will come out of tonight. It has been the intent of the members on this side of the House to try to convince, through debate and, hopefully, through reason, that we can make this bill better. I think, from some of the conversations I've had with other members on the opposite side, that they have indicated that this is a free vote for them. Unfortunately, I have seen



anything but a free vote on these amendments. It is, I believe, a sad state of affairs when we see good amendments come forward and then be struck down by this government and by the backbenchers in the NDP caucus.

Now, I was happy that the government had finally listened to hours of debate and thousands of protestors coming to this Legislature to voice their concerns. I think that if it wasn't for that kind of pressure, we wouldn't have seen even the amendments that we see today. This was not the government's original plan since we were told over and over again by the website, by releases, and by debaters in the House that family farms were going to be covered in every way, shape, and form under OH and S and WCB.

This amendment seems good at first until you realize that almost every single family farm hires the help of at least one person during the busy harvest season. Let me point out an issue in the OH and S Act that would completely negate hiring that one person. Section 3(1) of the OH and S Act reads, "Every work site must have a prime contractor if there are 2 or more employers involved in work at the work site." If there are two people working in the field, then the owner, as outlined in subsection (2), must also be on-site.

**10:50**

Let me go a little deeper into this. Let me break this down for you. If there are two people working in a field, then the owner, as outlined in subsection (2), must also be on-site. Let's say that to get the harvest in, a farmer needed two people in the field to get that harvest in, two people needed to be in the next quarter section, and one person needed to be tending to the feeding of the cattle, a situation not unheard of on many farms. Now, they only have four people working for them, which means either that harvest doesn't get brought in or the cattle do not get fed. So the owner hires a fifth person to drive the tractor to ensure that the harvest can be brought in. But now OH and S applies to everyone on the farm, which means that the two people working in each field need the owner to be on-site in both fields.

I think this is one of the reasons why we have seen exemptions in other provinces for these kinds of regulations. One of two things needs to happen now. The owner must be in two places at once — he must be in both fields, according to section 3, and then he must also find a way to feed the cattle — or he must hire two more people, for a total of seven people, and promote them in a way that those two new people can be prime contractors to watch over both fields so the owner can feed the cattle. Seem complicated?

**An Hon. Member:** And expensive.

**Mr. Hunter:** And expensive.

In this situation, with the way the OH and S Act is currently outlined, if this farmer wanted to hire one person, he would have to hire two additional people to watch over his farm and comply with OH and S regulations. Madam Chair, this is one example of how this government needs to consult with farmers in order to be able to get it right. This is one example to show that this bill, even with the amendments that have been brought forward, is insufficient to meet the needs of family farms and ranches in Alberta.

This is why I would like to put forward a subamendment. I have the required copies that I would like to submit. Would you like me to wait, Madam Chair, in order for you to get that?

**The Chair:** Until I get that, yes.

This will be known as subamendment SA3.

Go ahead, hon. member.

**Mr. Hunter:** Thank you, Madam Chair. I would move that amendment A1 to Bill 6, Enhanced Protection for Farm and Ranch

Workers Act, be amended in part C in the proposed section 9(2)(a) by adding "or" at the end of the proposed clause (d) and by adding the following after the proposed clause (d):

- (e) employees of a farm or ranch that employs 5 or fewer employees, whose employer has provided workplace injury insurance coverage equivalent to compensation available under this Act.

The rationale behind this subamendment, Madam Chair, is that by accepting this subamendment, the members allow farmers more options than just WCB as long as the farmers have comparable coverage.

I want to point out that the petition that we just filed had over 32,000 signatures on it. As far as we can tell, Madam Chair, that is the largest, by double, petition that this House has seen, at least in the recent past. Now, I guess the question that I have is: could all of these people, the 32,000 signatures on here, be wrong? If we follow that, that the members on the opposite side believe that they are all wrong, then we need to also say that perhaps many people in Alberta got something else wrong on May 5. If we follow this rationale, that maybe a lot of people made a mistake on May 5, then perhaps this government doesn't have the mandate that they believe they have.

**An Hon. Member:** Voters are never wrong.

**Mr. Hunter:** If voters are never wrong, Madam Chair, then I would submit that we have 32,000 people who are not wrong, and you need to listen, government.

Madam Chair, the members on the opposite side have stood up and have talked about the need for safety for farm workers, so they have, I guess, taken the position as being champions of farm workers. My question to the members opposite is: if you are the champions — and we've known about this bill now for two weeks — for the farm workers, would you please be so kind as to table all of the letters that you have received from these farm workers that give you the mandate to bring forward these draconian rules? If you have the ability, I would ask you to go ahead and table the letters.

Second, I would ask you to table the petition of all of the farm workers. There have got to be thousands of them out there. I would ask you to table the petitions. If not, do you really, truly have the mandate of the farm workers? Obviously, you don't have the mandate from the farmers and ranchers because they've spoken en masse and have said: kill Bill 6. So the only people that I can see that you would have the mandate from would be the farm workers, that you say that you're championing. If that is the case, then I ask you to table for this Legislature the names of the people who have written to you or signed petitions saying: this has to happen; please make sure you do this. If you can't do that, you don't have a mandate. We have a mandate, 32,000 signatures on a petition. I think that's mandate enough.

Now, this amendment covers farms under five people so that if a family of three or four needs to hire one more person, they can still operate. A family farm should not be hampered from working efficiently because of a technicality accidentally left in this legislation. This amendment is not perfect and is being created through the brief amount of consultation we have had, that we have been able to do, since this bill was brought forward. We would prefer if this, obviously, went to committee, Madam Chair, so that farmers could have the proper input that they need. This amendment is a last-ditch effort to try and do what farmers want with very little consultation.

We have advocated again and again to consult first, legislate second, and this government has continued to do the opposite. We have continually asked to educate, not legislate. This government

has continued to legislate, not educate. We need to kill this bill or send it to committee and take the time to talk to the experts. We need amendments that the experts suggest we create, not just what we think is the right thing to do.

B.C. has exemptions for farms under 20 people. This is a small number by comparison, what this amendment suggests. We're not asking for 20; we're asking for five. Five people may be too small of an exemption, but we are trying to do what would benefit family farms. Alberta has the least amount of red tape for farmers compared to any other province in Canada, and I would suggest, Madam Chair, that the reason why we have prospered and that farming and ranching have flourished in Alberta is for this very reason. At least one of the reasons that they have flourished in Alberta is because of the low red tape, and I believe that when we start adding more red tape and more of these types of measures, it will definitely cause problems for farms and ranches. It will cause problems for their ability to be able to be productive and flourish in Alberta.

I don't know if this government wants that – I will have to believe that they don't – but when the consequences happen in 20/20 vision, after you look back on this situation, I believe you will see that these measures have not helped farmers and ranchers; they have hindered them. This is the sort of thing that I think is a travesty.

11:00

Family farms are already having difficulty, and they want to take care of their family farms. It's already a struggle. In fact, some of the family farms that I've talked to say that with the difficulty that family farms have in trying to incentivize their children to take over the family farm, it is very difficult already, and adding this additional red tape, adding this additional regulation is obviously not going to incentivize them to want to take over the family farm. It's going to be a disincentive. This subamendment would alleviate some of those restrictions that are deterring children from taking over family farms.

Now, I'm not sure whether or not I have the attention of the members opposite, so I'd like to get their attention, and I'd like to quote once again a book that they seem to love, *Animal Farm*. Here's what it says, one of my favourite sayings. It says, "All animals are equal, but some animals are more equal than others." Now, the interesting thing about this is that the Premier has said this. The Premier has said that all Albertans deserve to come home safely, yet not too long after that she said: we're going to exempt Hutterites. Now, my question is: are all animals equal, or are some more equal than others? So my question for the Premier – and I hope that this body here can answer this question for me – is on whether or not the Hutterite exemption and the four and a half other pages of exemptions make us more equal. I don't believe it does.

I've brought forward a couple of different issues that I see or problems that I see with this bill, and bringing forward this subamendment, Madam Chair, I believe will, as we heard a few minutes before, take a bad bill and make it maybe a little less bad. I hope that the members opposite ask themselves whether their assumptions are true, ask themselves whether or not their assumptions are based upon ideological beliefs or, actually, facts. We have heard many things said in this House that have been assumptions, assumptions that have no data to back them up. Here's the reason why the opposition is opposed to this bill: the assumption is ideologically based rather than it being data based. I hope and I would ask the members opposite to make sure that they question their assumptions, as all legislators in this House should, and then ask themselves whether or not it will be the right thing for Albertans.

Thank you very much, Madam Chair.

**The Chair:** The hon. Member for Edmonton-Decore.

**Mr. Nielsen:** Thank you, Madam Chair. All animals are equal. I read this, and I see that five employees don't get to have the same rights that everybody else does; therefore, I can't support this subamendment.

**The Chair:** Lacombe-Ponoka.

**Mr. Orr:** Thank you, Madam Chair. I'm thrilled to be able to rise and speak to this subamendment. I think what we're seeing here is the reality that it's actually hard to legislate well. In fact, it's really hard to legislate well. What we're really, really, really, truly dealing with here is an issue of human rights and social justice all the way across the board. I know that the members across the way think that they have some kind of a corner on human rights and social justice and that they're the only ones who live in that corner of the universe, but I have to ask you: what about the rights of the farm families? What about the rights of the farm workers who actually would prefer to refuse or to choose some other kind of legislation? There are those who actually want to refuse WCB and would prefer to choose a different kind of insurance. Do their human rights not count? Does social justice for them not apply at all?

I'm sure that there are a number of you – well, I know that there are several of you that are well enough educated, who have taken some ethics courses in your past. If you will go back and think a little bit about ethics, the reality is that there are very few black-and-white choices in this world and in this life. It's always a balance of good and evil. It's always trying to discern: where is the best good, and where is the least evil? What we're having and what we're seeing here is an attempt to do something that's good for a small group of people. Quite frankly, if this bill had been written in a slightly different way, if there had been consultation along the way so that it could be written in a way that balanced the rights of all of the people that are involved in a different way, you probably would find that you would have a lot of support for this bill. I know that I would support it if it had been presented in a different way.

The reality is that this is about human rights and social justice and not just for one group. I would really like to just gently suggest to you that there are 32,000 petitions and thousands and thousands of letters that have been stacked up in this room from thousands of individuals whose social justice and human rights are being infringed upon. I won't say intentionally. I won't even come close to saying that. I don't believe that was your intent, but the effect is that, for them, your efforts to bring social justice and human rights to one group are actually infringing on the rights and justice of another group, and that's the whole problem here. There hasn't been consultation. There hasn't been the opportunity to actually balance the justices and come up with a truly ethical solution to a real problem. If we could write this differently, I assure you that there would be support for it.

I also would like, since I am on the theme, to remind us of the Canadian Bill of Rights, and one of the things that it does say, amongst many, is that every Canadian should have the right "to life, liberty, security of the person." I fully embrace that. I embrace that for the farm workers, that you are concerned about, but I also want to embrace that for the farm families, who feel that their life and their liberty to make choices and even their security of person and family are being infringed upon and maybe even the fundamental justice of how they're going to be treated here, because they are going to be dictated to. They are going to be legislated over top of without even having been consulted in the process.

I'd like to say that political capital is a fluid thing, just like any kind of leadership capital is. It's never fixed, and I fully agree that

the voters are always correct. You had a mandate in May, but now in November you have a no, a “no” mandate. The voters are speaking, and if you won’t listen to them now, I assure you that you’ll have to at the next election. This really is an issue of voters’ rights and human rights in our country. What the people are seeing is a government with its head down, with a determination, like a bull in a china shop, to push forward legislation that actually does not balance human rights and that is not ethical entirely.

The Premier says that she’s pushing this through regardless by Christmastime. Now we’ve invoked closure on debate. These are not democratic kinds of things. What we’re seeing here – and I hate to even have to say this – are the true colours of our NDP government. They sing a siren song, they lure unsuspecting voters, and they promise social democracy. Well, it’s definitely socialist, but it’s not very democratic. We have a new government. Some people think that it’s a new dictator party. That is not what people voted for, I assure you. They voted the last party out for the very same reasons. The people don’t want this. What we’re seeing is a repeat of the days of the Magna Carta, where the common people have to fight against the power of the king. It isn’t right.

11:10

**An Hon. Member:** Who are the barons?

**Mr. Orr:** The aristocrats who are in power. It doesn’t take long once you cross the floor.

I’d like to say that in our society – oh, I’ve got to hurry up. I’ll hurry up. Nobody believes government should be in the bedrooms of our nation. Anybody think the government should be in the bedrooms of our nation? No. And neither should the governments be in the barns of our nation because the same kind of activities happen there. I assure you that the farming and ranching community does not want this legislation. They don’t want you in their lives doing this. You cannot regulate this and claim to have a mandate from them. It is about social justice. The question is: whose social justice, and how are you going to balance the ethics of that? For that you will have to answer.

Thank you.

**The Chair:** The hon. Member for Banff-Cochrane.

**Mr. Westhead:** Thank you, Madam Chair. I was really leaning towards supporting this subamendment, but the bitter irony of the Member for Lacombe-Ponoka citing the principles of social justice and the Charter of Rights is just too strong for me, and I’m going to have to not support this subamendment.

**The Chair:** Any other hon. members wishing to speak to this subamendment?

If not, we’ll call the question.

[Motion on subamendment SA3 lost]

**The Chair:** We’re back on the main amendment, A1. Any further speakers to this amendment?

If not, we’ll call the question.

[The voice vote indicated that the motion on amendment A1 carried]

[Several members rose calling for a division. The division bell was rung at 11:13 p.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Babcock	Gray	Notley
Bilous	Hoffman	Piquette
Carlier	Horne	Renaud
Carson	Kazim	Sabir
Connolly	Kleinsteuber	Schmidt
Coolahan	Littlewood	Schreiner
Cortes-Vargas	Loyola	Shepherd
Dach	Luff	Starke
Dang	Malkinson	Sucha
Drever	McCuaig-Boyd	Swann
Drysdale	McKitrick	Sweet
Eggen	Miller	Turner
Feehan	Miranda	Westhead
Fitzpatrick	Nielsen	Woollard
Fraser		

Against the motion:

Barnes	MacIntyre	Smith
Cooper	McIver	Strankman
Cyr	Nixon	van Dijken
Hanson	Orr	Yao
Hunter	Schneider	

Totals: For – 43 Against – 14

[Motion on amendment A1 carried]

**The Chair:** We are back on Bill 6. Are there any further comments, questions, or amendments with respect to this bill? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Thank you, Madam Chair. Of course, it’s my honour today to rise, as always, for the good people of Rimbey-Rocky Mountain House-Sundre and speak to a change that could have been made to this legislation to make it a bit more palatable. As the members of this House are fully aware, the Wildrose along with tens of thousands of Albertans have been actively fighting against Bill 6 since its inception. However, to our dismay and despite the very best efforts, this government appears to be pushing it through before session ends this week.

Wildrose has been busy coming up with ways to make a bad bill better and to provide essential protection for farmers and to shelter them from the fanatical, rushed deadlines that the NDP has imposed with Bill 6. An idea that our party had suggested and that was unfortunately turned down as an inappropriate amendment was to provide Alberta farmers with a much-needed grace period as they adjust to the massive changes that this government will enforce on them in an extremely short time frame. It also would have allowed them time to properly educate themselves on the various changes and to put those changes into effect in their daily routines.

Madam Chair, it shocks me to think that as of January 1 of this coming year farmers will be expected to comply with all OH and S and WCB standards, not even two months from when this bill was first introduced. To describe the pace at which this bill was put forth and forced through by the NDP as frantic would be a grievous understatement. It seems that this government’s new goal is to legislate, institute, and then consult.

11:20

Our staff and MLAs have read inspiring letters from all over Alberta with stories of family farms passed down from generation to generation and heartwarming tales and fond memories of families bonding together. Madam Chair, you can feel the nostalgia and warmth that pour out through these letters as people recount mornings spent helping their families milk cows, collect eggs, and

work together as a team to create something that is bigger than themselves. The passion they feel for farming is amazing.

For generations these families' farms have been cared for and passed down with pride, with hundreds of years of history and fond memories wrapped up into a parcel of land. These farmers have spoken at great length about the love that they have for the lives on their farms and ranches and how grateful they were to have the experiences that they did growing up in the rural areas, experiences that, it seems, will now be very different if this government has anything to do with it.

Madam Chair, I would like to reiterate that the Wildrose is not opposed to farm safety, but we are absolutely opposed to how the NDP has handled this legislation, and we remain opposed to the pace at which they are aiming to impose it. The current deadline that the NDP has put in place for Bill 6 to be executed by speaks volumes and continues to show their naïveté about the industry they are legislating against. The fact that members opposite think that they can sweep in with legislation that completely transforms the agriculture industry and erases generations of tradition and practice, refuse to consult with those that it directly affects, and then threaten fines or imprisonment against those that aren't willing to get onboard a mere few weeks after this legislation is imposed continues to baffle myself and this caucus. To radically change the way this agriculture industry has functioned as an independent entity since settlers came to what is now known as Alberta and then expect at the drop of a hat that Alberta's farmers and ranchers would be willing or able to accommodate that request is laughable.

Madam Chair, this government is bound and determined to drag Alberta's agriculture sector kicking and screaming towards a government that micromanages and ties the hands of its citizens. The very least that this government could do would be to allow a buffer for farmers to react, to adjust to Bill 6 without the fear of being thrown in jail or fined massive amounts of money, that would further narrow the already slim profit margins that this very bill has already thinned.

Our caucus may not have been able to kill Bill 6, but our hope is that the members of this Assembly will band together to soften the blow that the farmers and ranchers are about to be dealt and to protect their way of life from further attack. I ask that my fellow MLAs take my words to heart tonight, slow down, and show our rural constituents the respect and protection that they deserve.

Thank you, Madam Chair.

**The Chair:** Any further speakers to this? Amendments? Comments? The hon. Member for Grande Prairie-Wapiti.

**Mr. Drysdale:** Thank you, Madam Chair. I'd like to move an amendment to Bill 6. Would you like it now, or shall I read it out?

**The Chair:** If you could just wait till I get the original copy. This will be amendment A2.

Go ahead, hon. member.

**Mr. Drysdale:** Thank you, Madam Chair. I move that Bill 6, Enhanced Protection for Farm and Ranch Workers Act, be amended by striking out parts 1 and 2. If this bill is truly about protecting farm workers and the safety of farm workers, as stated by the Premier and many members opposite, then this amendment should be okay with them. It's likely not going to pass because they've already defeated a couple of better amendments. I'm sure they won't pass this one, but we'll give it a try.

This omnibus bill contains two prongs that are about worker safety; namely, occupational health and safety and workers' compensation. It also contains two prongs that are evidently less about worker safety and more about paycheques and forming

unions. As many of my colleagues have indicated, it is irresponsible to dilute important worker safety legislation with provisions that are unrelated to safety. A sign of respect for legislators would be to provide us sufficient time to consider this important legislation. Provisions to enable farmers to collectively bargain would not increase employee or employer responsibilities for safety. The government has not explained how farm worker safety would be enhanced by this part of the legislation.

Employment standards could contribute to farm worker safety, but because regulations will not be developed or consulted on for a few years, there's no need to debate or pass this legislation now. As responsible legislators we should take the time to make well-consulted changes to employment standards legislation, which the government itself admits will take months to years to develop and perfect.

We support farm safety, and we can do that without wrecking livelihoods, Madam Chair. Bill 6 goes too far and tries to cover too much without understanding what it means to everyone involved. Reducing the scope of this bill would offer at least some reassurance to concerned Albertans that their concerns have been heard.

This bill is going too fast. The government admits that this legislation will take a couple of years to correctly consult on and implement. How can family farms adjust? The government has not been able to even answer how many nonfamily farm workers each piece of this bill will affect. There's been no proper consultation. Public consultation events have been disastrous, and few farmers can get their voices heard.

We believe that farm workers and their families should be protected by insurance such as the private policies currently purchased by many of Alberta's farms in order to compete for workers with other labour- and machine-intensive industries. We support bringing farms under occupational health and safety legislation to the extent that employment-related farm deaths and serious injuries should be investigated and the learning shared to prevent future similar incidents. If workers' compensation insurance does become mandatory, we would like to see this government enable farm employers to choose workers' insurance that offers a better coverage than that offered by workers' compensation and which many farm employers currently provide.

The government has previously indicated that all farms, including family farms, would be covered under all four pieces of legislation. The government has since revised this position to clarify that only workers with employee-employer relationships on farms will be covered. The government can show responsibility by not passing legislation that the government itself has not yet taken the effort to understand.

Let me paraphrase Premier Notley, from her May 4, 2015, interview with Bridget Ryan of City TV Edmonton: so there's an extra year before we get to implementing this bill, but you know that the sky is not going to fall if that happens; you know, I think it's about just being responsible and listening to what Albertans want to tell us and not lecturing them, because there's been a lot of lecturing, I think, by this government, and I think a lot of folks are getting really tired of it. Those were the Premier's words. The sky will not fall if we take the time to get this important safety legislation correct.

Again to paraphrase the Premier, speaking at a provincial council at the Coast Hotel on January 31, 2015, about solutions built only in regulation: we're not giving any hints about what that solution will look like, but what it does mean is that it will not involve the force of law if it happens outside the Legislature. Based on this government's arbitrary and unconsulted-on policy changes on borrowing \$6 billion, restricting logging, optical drugs, adjusting

and backtracking on the minimum wage amongst others this summer, we know all too well what NDP solutions that are not in legislation look like, and I cannot accept that this is a way that will be any different.

**11:30**

Consulting and ensuring that important provisions are built into a smaller piece of focused and well-thought-out legislation will not make this policy work. It will make this policy better. So basically the Premier is saying that the sky isn't going to fall if we don't rush this through. She's saying: take the time, consult with Albertans, and consult with the farmers, and let's get it right. She said that herself, speaking last spring, so I don't know why she's changed her opinion from there now that she's the Premier.

You know, I think everybody just needs to take a breath. We all know we can make farms safer. We all know we can work together to make this legislation better. Let's work together and do the right thing and really support farmers in Alberta.

Thank you.

**The Chair:** Just a reminder, hon. members. A few times tonight proper names have been used in the House, so just be cautious with that.

The hon. leader of the third party.

**Mr. McIver:** Thank you. Thank you, Madam Chair. I'm standing to support my colleague's amendment. It's an important one because it really lays bare what is really going on here. What my colleague is saying is that if the government's wish is truly what they say it is, to enhance safety, then they would support this amendment.

Madam Chair, what I found amazing about this – the government wants to increase safety on farms and ranches. Good idea. Who wouldn't want to do that? The problem is that there doesn't seem to be an understanding about where we're starting from. To listen to government members when they talk about this, you would think that Alberta had the worst record in the world. Such is not the case. Such is not the case. We are amongst the best when compared to other Canadian provinces. So rather than building what's already there, work with farmers and ranchers and try to prevent those last injuries, those last deaths. You know what? Realistically, probably you'll never get rid of all of them because many parts of farming are industrial operations, lots of machinery, you know, animals that in many cases are large and unpredictable just because they're living beings. Nonetheless, it is laudable to try to get to zero deaths and zero injuries. It truly is.

But when you've got one of the best safety records in the first place and the attitude is to sweep away everything that's there because we can build it from the ground up better than almost at the top, that really is where I think we lose Albertans. We lose farmers and ranchers, and we lose city people because everybody in the city, at least the vast majority, knows somebody that works on a farm or a ranch or knows somebody that lives on a farm or a ranch and they know that their practices are safe.

There are a lot of old farmers and old ranchers around. If they didn't care about safety, there wouldn't be very many old farmers and ranchers around. I'm serious. If they've gotten to be an old farmer or an old rancher, the fact is that they have been hanging around and working on what is essentially an industrial site for many years and have managed to stay alive. How? Because they have good safety habits. It's not because they don't care. It's because they do care.

Probably one of the most offensive things about this legislation is that it assumes that today, before this brand new, shiny government – at least, they were; they're not quite so brand new

and shiny. At some point, they're actually going to have to take responsibility for their actions. That day hasn't come yet, but it might. This ever-so-recently brand new, shiny government has it in their head that they can erase over a hundred years of safe farming and ranching work and traditions, tear it all apart and rebuild it from the bottom up and do a better job than the people that have been living and breathing that business for a century. That is an assumption within the government's legislation that is false. In fact, it doesn't even have a chance of being right.

There are other things going on here, Madam Chair. If the government supports this, they will actually be demonstrating that this is about safety, and if they vote against it, they will be admitting that it's about something else.

You know what? The arguments that have been made do not hold water. Let's face it. Again, the argument that the government has trotted out, with tragedies that have happened on the farms in the last couple of years – and there are a couple of accidents and terrible situations where somebody has died and the remaining family members can't support themselves or someone has sustained an injury and they can't support themselves. I will agree with the government that those are tragedies, but the underlying assumption from the government to support their legislation, that if somehow occupational health and safety and the Workers' Compensation Board are imposed upon these farms, these things won't happen anymore, is patently false.

I will again remind this House that it wasn't that long ago, when I was the labour minister, I can tell you, that there was a lineup of people who worked in places covered by occupational health and safety regulations and Workers' Compensation Board regulations that got injured and couldn't support themselves. There was a lineup of people whose family member had died or was injured, a family member working at a place covered by occupational health and safety and Workers' Compensation Board, who were losing their home and all their possessions because they weren't covered. Occupational health and safety and Workers' Compensation Board are good ideas, but they are not the panacea and not the silver bullet that this government would have you believe, compared to what farmers and ranchers are doing today. It's just not true. It's just flat not true.

Actually, if they truly are interested in safety rather than tearing apart a hundred years of largely safe practices by people that have grown up and lived and, for some, have become old farmers and ranchers and kept themselves in one piece and healthy and surviving, it would perhaps behoove the government to take some time and listen to those people, that have probably seen the hazards and avoided the hazards, that have probably even seen some injuries and learned how to not repeat those injuries. Some of the poor folks might have seen a death and, as a result, have learned how to avoid future deaths on the farms.

Instead, the government wants to wash away all that knowledge, all that experience, all that successful track record. A caucus of government people made up largely of urban people – that doesn't make you bad people; I'm a city boy myself – thinks that they can wash away all that knowledge and be smart enough to replace it without listening to the people that have actually been living a farming and ranching life, they and their relatives, for over a hundred years in Alberta. It just defies logic. It just defies logic.

Here we are with a common-sense amendment. Honestly, you know what? I will say this, government members. My colleague has very politely, because he's a polite person – he's a gentleman. He's a gentleman, but in his gentlemanly, polite way he's calling you out. If you can't support this, then you are concerned about something other than safety.

**An Hon. Member:** Like labour.

**Mr. McIver:** Yeah. Like labour.

You know what? If you want to unionize farms, good. Just say it. Call it the We Are Unionizing Alberta Farms Bill. You know what? The law is on your side. We get that. There was a Supreme Court of Canada decision that requires farm and ranch workers to be able to unionize if they want, so that law is on your side. We acknowledge that. But don't do that and hide it under something you're pretending to be safety. If you want to do that, it's okay. The law is on your side. If it's a good idea, just be up front about it. What we hear from government members is that this is about safety.

11:40

My polite and thoughtful colleague, who, unlike most of us in here, is . . . [interjection] Oh, I thought you were calling a point of order or something. I thought I'd offended you, Minister. All right. You know, Minister, how I'd hate to offend you, right?

My polite and thoughtful colleague, who is also a farmer, which most people in this room can't say that they are, in his polite and thoughtful and pleasant way, because that's the way the man is, is calling you out. If you don't support this, then you must be thinking about something other than safety. What he's saying is that if this is truly about safety, then let's cut it down to the part that's about safety, and let's get on with that.

So I'm going to support it because I think that this is a really good point, where the government, if they support it, will reveal itself as being up front and honest with Albertans about being mostly concerned about safety, or they will reveal themselves as having some other agenda, which they haven't honestly and openly articulated to Albertans, if they vote against it. Me? I'm supporting it because I think that this is a good point. This is a really good place to demonstrate to Albertans whether this government is being honest about the fact that they think safety is the most important thing.

Thank you, Madam Chair.

**The Chair:** Just before we proceed, if I could ask the indulgence of the House for unanimous consent to revert to Introduction of Guests.

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Chair:** The hon. House leader for the Official Opposition.

**Mr. Cooper:** Thank you so much, Madam Chair and for the indulgence of the House. I really appreciate that. I just saw a couple of very good friends of the Wildrose caucus arrive to support farmers and ranchers during this debate on Bill 6. I'd just like to take a moment. Donna Hanson, Suzanne Dargis, Adrian Pomerleau, if you would rise. If I might just add, a happy birthday to you, Nikita Pomerleau. It's her birthday today. And I would be remiss, while we're talking about birthdays – it's also my wife's birthday. When you see her next, wish her a happy birthday for me in this new family-friendly environment.

Thanks so much for joining us.

### Bill 6 Enhanced Protection for Farm and Ranch Workers Act (continued)

**The Chair:** Do we have any other speakers to amendment A2? The hon. Member for Vermilion-Lloydminster.

**Dr. Starke:** Well, thank you, Madam Chair, and I want to thank my colleague the hon. Member for Grande Prairie-Wapiti for his introduction of this amendment, which, as my colleague the Member for Calgary-Hays has pointed out, provides some clarity of purpose to what this bill is all about.

I've been to public meetings. I held a town hall in Vermilion on Saturday, and I went to the Vegreville meeting yesterday, and I heard farmers, a number of them, charge this government, saying: this isn't about safety; this is about you ramming unions down our throats. Of course, the immediate thing was a denial from the government minister, who says: no, no, no; it's all about safety. In fact, the reassurance on behalf of the minister of labour, saying that the rate of unionization of farm workers in provinces that have passed the labour standards act has actually been low: that, shall we say, did not placate the masses. It did very little to calm the edgy nerves in the crowd.

If the members of the government haven't already gathered this, farmers are an independent lot. Farmers choose farming for a number of reasons, but one of the reasons they choose it is because they're independent and they want to be their own bosses. They want to be masters of their own operations, of their own lands, and they do it as a family endeavour. In some cases, those family endeavours have grown to include employees from off the farm, from other households, from other areas. They provide employment to others. They are a fiercely independent lot, and they are somewhat resistant, some would even say very resistant, to the imposition of rules that they see as interfering with that independence. In fact, farmers, when told that their independence is being infringed on, will push back. We have seen that very, very clearly.

Farmers have expressed a great deal of concern, not so much with the Workers' Compensation Board or even the OHS. There are concerns about the OHS because right now the technical requirements have not been defined. Many farmers work off the farm, and they work in areas, like construction and oil and gas, where OH and S is a big part of their lives, and they see some of the challenges that, you know, the application of OHS in those situations would create within their own farming situation. They're asking a lot of very relevant and very pertinent questions as to how that would affect their own operation. These are reasonable questions. Nonetheless, in terms of the sections of this bill that are related specifically to safety – in other words, the sections with regard to occupational health and safety and with regard to workers' compensation – there is less resistance to those areas than we are seeing with labour relations and with the employment standards.

Now, what my hon. friend has stated is absolutely correct, and that is that workers should have the fundamental right to organize themselves into bargaining units, to collectively bargain, and to join a union if they so desire. That is a fundamental human right, and I support that human right. But as he also said, if that is what you want to do, put it in a stand-alone bill, and let's vote on that as a stand-alone bill. If you did that, if you separated it out from the smokescreen that you've created with the farm safety legislation, then I would suggest that you would get support with that because the law, as he states, is on your side, and quite frankly human rights are on your side. It is a basic human right, that workers should be able to collectively associate and collectively bargain. I know this, Madam Chair, because I was once a member of a labour union. Yes.

**Mr. Cooper:** Shame.

**Dr. Starke:** No, I'm not ashamed. Actually, I'm proud to have been a member of the Amalgamated Meat Cutters and Butcher Workmen of North America local P243, which has since then morphed to

become the United Food and Commercial Workers, as many people will know. I'm particularly proud because that organization, amongst the other things that it does, when I was a high school student provided scholarships and bursaries to high school students. I was the first Canadian recipient of the Earl W. Jimerson award, that awarded me with a scholarship for the first four years of my attendance at university. That's a good thing. So before anyone on any side of the House says that I'm anti-union, just be careful. I know that I owe a lot to labour unions, and I know that labour unions do a lot of good things.

In fact, when I was a councillor for the city of Lloydminster, I was asked to sit on the city's negotiations committee when we had negotiations with our unionized workers. One of the things that I was always very proud of was that the members of the union always said: we like you at the table because at least you're fair and you see the workers' point of view. I have to say that that was not always a view that was shared by those negotiating on behalf of the employer.

Part of the reason I think it's so important that there be a fair balance between employer and employee is that – I wish that the terminology was a little bit like in German. I'm just going to use a couple of German terms, and I'll provide the translation. The German term for employer is "Arbeitgeber," which means the giver of work, and the German term for employee is "Arbeitnehmer," which means the taker of work. The giver and the taker of work. I think that represents a relationship between the two that is more co-operative and represents a relationship that is more a relationship amongst equals.

**11:50**

Now, I recognize that there are differing opinions as far as the relative powers that rest and vest with employers and employees. I would suggest to you that many of the members opposite would suggest that employees have been poorly treated in this province for a long time. In fact, I would suggest that they maintain that employees are constantly poorly treated. You know, it's somewhat reminiscent of some of the charges that are made: "How did you get that? By exploiting the workers, by hanging onto outdated, imperialist dogma which perpetuates the economic and social differences in our society." It is the kind of statement that one looks at and says: well, is that even realistic?

Well, that is the belief that is held by some. Personally, I believe there needs to be a balance between the employer and the employee, and the labour unions are important in maintaining that balance. So while there is suspicion of the motivations of labour unions in some situations, I understand what the basic purpose of labour unions is.

I also understand, from my own childhood, Madam Chair, that labour unions can go too far. I know this because my father, who was a foreign-trained butcher – he was a butcher that was trained in Germany and had considerable skills – received from his union brothers derision. He received taunting. He was called names by those that were supposed to be his union brothers. Why? Not because he was German but because he worked hard. He worked hard, and he worked fast, and he worked well. He took great pride in doing that.

The names he was called by those in the labour union, especially the shop stewards, especially the heads of the union, who charged him with embarrassing his other union comrades, his other union brothers, because he made them look bad because he worked too hard – he accepted overtime too readily, he showed up early for work and was prepared to stay late and didn't complain about it, and he didn't take the extra breaks, that were never part of the contract but were just taken. That was the kind of environment that my father endured, working in a packing house in Edmonton for

nearly 40 years. When I asked him, "Why do you take that, dad?" he said, "I take that because I need to provide for you and your sister and your mother, and I take that because I take that as my responsibility."

So, Madam Chair, I want to be clear that I recognize the positive aspects that can come from union involvement and union membership, but I also want to make it clear that I recognize that there is a dark and a seedy side to the labour union movement. To suggest that there is not is simply not looking at things realistically.

I remember when there was a strike at Canada Packers when I was seven. I was less than that; we were in the old house, so I was about five or six years old. I remember my mother watching television every day, praying that the strike would be over so that my father could go back to work because strike pay simply did not keep our household going. I remember when there were other work stoppages at Canada Packers and my father would go work at another plant, a non-union plant, so that he could continue to have income coming into the house. Then his union brothers would call him a scab and a strikebreaker and try to make him stop what he was doing, which was simply providing for our family.

So I've seen the negative side of the labour union worker, friends, and it's not all the idealistic world that many would believe the trade union movement to be. Somebody said earlier today that it's not all about black and white; there are many shades of grey. I would suggest there are many shades of grey in this as well.

With regard specifically to the amendment, Madam Chair, that is why I think it is a good idea to separate the whole question of unionization of farm workers under the Labour Relations Code and separate the question of employment standards because employment standards are more about hours of work, vacation pay, and other things. In fact, when I was at the meeting yesterday, or now just about the day before yesterday, in Vegreville, the Minister of Jobs, Skills, Training and Labour said: well, we would develop the employment standards specific to farms. But the information on the website had gone out already, stating what the plans were for employment standards, and farmers didn't like it. Farmers were extremely concerned about how it redefined the entire relationship between themselves, their children, their neighbours, their relatives, those that worked on the farm with them.

So, Madam Chair, those two things have muddled this entire argument, and it is one more aspect of how this particular bill has been poorly handled and poorly managed by the government. One could say that they're inexperienced. This is perhaps the first major, complex piece of legislation they've introduced; therefore, they should be cut some slack. If it wasn't such a profound difference to the agricultural communities in our province, I would say: "Okay. Fine. Let's cut them some slack."

But, ultimately, we in this Chamber are responsible for being legislators. We in this Chamber are supposed to pass the best legislation possible. We are supposed to pass it, hopefully, without flaws. We are supposed to pass it, hopefully, after long periods of consultation and debate, in which we consider the pros and the cons of the legislation. Madam Chair, I'm not convinced that that has happened in this case. I'm not convinced that we have developed the best piece of legislation possible.

One way to make it clearer that this legislation is about safety, that it's not about unionizing farm workers, that it's not about imposing employment standards that, quite frankly, run contrary to the way most farms and ranches operate is to separate those areas out. Now, if they want to be introduced as separate pieces of legislation because they're important to this government, by all means, do that – do that – and we can have that debate separate from other aspects of this. But to do an omnibus bill, as this is – and omnibus bills certainly have been criticized at the federal level for being these large pieces of

legislation rather than having specific pieces of legislation – and to do it in the way that is being proposed at this point is not good legislation. It is not a good way to proceed. It should be something that we, in our responsibility as legislators, should resist.

Madam Chair, I would urge not just members on this side of the Legislature but members on the opposite side of the Legislature to consider that, to consider at least splitting away these two areas. They have said: this is not what it's about; it's all about safety. Well, if it's all about safety, then let's concentrate on the sections of this that are involved with safety.

We've made some, I think, reasonable suggestions for amendments already. I know they've been rejected. However, I think this gives another opportunity to clarify this bill, to pare this bill down to what really is the main focus of the bill. I think that it gives this bill some additional clarity, that I think we as legislators should always be striving for.

Thank you.

**The Chair:** The hon. Deputy Government House Leader.

**Mr. Bilous:** Thank you very much, Madam Chair. I move that the committee rise and report progress.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Sherwood Park.

**Ms McKittrick:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 6. I wish to table copies of all the amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

Thank you.

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

**Hon. Members:** Agreed.

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

12:00

**Mr. Bilous:** Madam Speaker, I seek unanimous consent of the House to move to one-minute bells for this next motion.

**The Deputy Speaker:** For the next motion?

**Mr. Bilous:** For Government Motion 27 – correct – which I will move shortly.

[Unanimous consent granted]

## Government Motions

### Time Allocation on Bill 6

27. Mr. Bilous moved on behalf of Mr. Mason:  
Be it resolved that when further consideration of Bill 6, Enhanced Protection for Farm and Ranch Workers Act, is resumed, not more than one hour shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

**The Deputy Speaker:** The hon. Deputy Government House Leader.

**Mr. Bilous:** Thank you very much, Madam Speaker. This Assembly has now debated Bill 6 for approximately 24 hours.

Nearly all opposition members have now participated in the debate, including the leaders of each of the opposition parties. The bill has been amended based on feedback that I and my colleagues have heard from farmers and ranchers.

I expect the members opposite to oppose this motion, but I'd like to remind them, Madam Speaker, that as an MP the Leader of the Opposition voted for time allocation 60 times, including on omnibus bills. He had no problem with time allocation to change the Income Tax Act, the Wheat Board Act, and even to change the RCMP Act. I have a couple of quotes from the Leader of the Official Opposition when he was an MP. He said, "Why is there a problem limiting debate on issues? . . . Why will you not agree to a time limit to limit debate?" That was on May 9, 2007. He went on to say, on November 17, 2011, "The motion is to time limit debate and to get it done today, so that we're done in about 15 hours." As you can see, at that time he had no issue with using closure amongst many other times.

As I stated when I first rose, Madam Speaker, we've now debated Bill 6 for 24 hours in this House. The bill has had ample opportunity for debate, for robust conversation throughout Committee of the Whole. I appreciate all of the members from all sides of the House giving their input on this bill, and now I urge the Assembly to move ahead and pass the committee stage.

Thank you, Madam Speaker.

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

**Mr. Cooper:** Well, I would say thank you, Madam Speaker, but let me tell you that I am not very thankful at all about what is happening in this Assembly this night. [interjections] They think it's funny.

Let me just start with the preposterous comments from the Deputy Government House Leader regarding the Leader of the Opposition voting some time ago. This side of the House has proposed a number of proposals that would make this Chamber work much better, and one thing I can tell you is that in Ottawa they have real committees, who do real work for extended periods of time, where they hear from expert witnesses, where they get testimony, and the only bill that this government is concerned about sending to committee is one from the opposition.

Now, this evening we see them moving closure after one day. Committee of the Whole did not start until 3 o'clock today. There are many members on this side of the Chamber who have not had an opportunity to rise at this stage of the bill. There are many members on this side of the House who also didn't have an opportunity to speak to second reading.

**An Hon. Member:** Actually, that's not true.

**Mr. Cooper:** No. I think you'll find that the Member for Highwood, the Member for Airdrie, and the Member for Barrhead-Morinville-Westlock did not speak to the main motion at second reading.

We have heard from this Government House Leader in the past that this time allocation thing is a way for government to short-circuit democracy. That's exactly what's happening tonight. Democracy is being short-circuited. Democracy is so short-circuited in this House that the leader of a recognized party doesn't even get to speak to the fact that they are stifling debate, and it is shameful. When the Premier laughs at me, it's difficult not to laugh at her. There are lots of reasons why she shouldn't be laughing at me, but it would be unfair of me to point them out this evening.

Let me just say that on December 2, 2013, in this very Assembly there was a significant discussion with the Government House Leader of the day. "I would [like to] make the argument that the



government must apply time allocation in such a way as to permit each member of the House to speak to each bill” at the stage prior to applying time allocation. This side of the House has over seven amendments that they would still like to propose, and now they have one hour. At no time in Ottawa or in this Assembly have we seen one hour of debate for time allocation. This government likes to blame everything on the previous government, and even they provided two hours of debate, the horrible, horrible, horrible previous government. They never limited debate to one hour.

I think that it is a real shame, a real shame, that on a bill where over 30,000 people have signed a real petition, not just sent it around on the Internet but actually taken the time to find a real petition, that’s been approved by Parliamentary Counsel – earlier today we saw over 2,000 letters tabled in this Assembly, and then we see total disrespect for farmers and ranchers clear across this province when this government stifles debate. I think it’s an absolute shame, and I can tell you without a doubt that this side of the House will be voting against this motion, and if they cared about democracy, they would, too.

[The voice vote indicated that Government Motion 27 carried]

[Several members rose calling for a division. The division bell was rung at 12:09 a.m.]

[One minute having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Babcock	Gray	Notley
Bilous	Hoffman	Piquette
Carlier	Horne	Renaud
Carson	Kazim	Sabir
Connolly	Littlewood	Schmidt
Coolahan	Loyola	Schreiner
Cortes-Vargas	Luff	Shepherd
Dach	Malkinson	Sucha
Dang	McCuaig-Boyd	Sweet
Drever	McKittrick	Turner
Eggen	Miller	Westhead
Feehan	Miranda	Woollard
Fitzpatrick	Nielsen	

Against the motion:

Aheer	Hunter	Pitt
Barnes	Loewen	Schneider
Cooper	MacIntyre	Smith
Cyr	McIver	Starke
Drysdale	Nixon	Strankman
Fildebrandt	Orr	van Dijken
Fraser	Panda	Yao
Hanson		

Totals: For – 38 Against – 22

[Government Motion 27 carried]

### Government Bills and Orders Committee of the Whole

[Ms Jabbour in the chair]

#### Bill 6

#### Enhanced Protection for Farm and Ranch Workers Act (continued)

**The Chair:** Have we no further speakers to amendment A2?

**Hon. Members:** Question.

**The Chair:** The question has been called.

[Motion on amendment A2 lost]

**The Chair:** We are back on the bill. Are there any further questions, comments, or amendments with respect to this bill? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Hanson:** Thank you, Madam Chair. It’s my pleasure to rise in the House today and further the baby steps taken by the NDP government in amending Bill 6 by proposing an amendment to delete employment standards from the legislation.

It’s been a very disturbing few days in debating Bill 6, seeing the government so unwilling to consider the unique nature of farm operations when trying to impose employment standards. We learn at an early age that square pegs do not easily fit into round holes, and failure to consider the unique work of farming with familiar employment standards amounts to the same thing.

With that in mind, Madam Chair, I would like to table this amendment. I’ll just wait until it is passed out.

**The Chair:** The amendment will be known as A3.

Go ahead, hon. member.

**Mr. Hanson:** Thank you very much. Under notice of amendment to Bill 6, I move that Bill 6, Enhanced Protection for Farm and Ranch Workers Act, be amended by striking out sections 1, 2, and 3.

Madam Chair, it’s worthy to note that across Canada all provincial jurisdictions have some level of exemptions to employment standards. Some of these jurisdictions exempt farms and ranches from virtually every employment standard involving minimum wages to be paid, statutory holidays, overtime, hours of work, and vacation pay.

Farming is a seasonal occupation, meaning that there are significant periods of time that don’t adhere to the niceties of a standard 40-hour workweek, where you can put your feet up on the weekend. Calves arrive when they arrive, Madam Chair, regardless of whether or not you’ve put in a 16-hour day. Mother Nature doesn’t take memos about Thanksgiving and Easter either. A person in the farming and ranching sector works . . . [interjections] A person in the farming and ranching sector works when the weather co-operates, not when some law dictates that they have spent enough time on the job for the day.

**The Chair:** Hon. members, I’m having some difficulty hearing the hon. member across. Thank you.

**Mr. Hanson:** Thank you, Madam Chair. The attempt to try and make this very unique segment of the economy fit a model for a manufacturing operation or a service business is a recipe for disaster and could backfire in a very real way. The nature of an omnibus bill is to try and package a multitude of changes into one neat pile. A serious flaw in this line of thinking, which the NDP was all too eager to point out when they were on the opposition side of the aisle, I might point out, is that each component of the omnibus legislation could and likely should have its own consideration and debate. Given that there has been zero conversation with farmers and ranchers, that this legislation will apply to, and what looks like zero consideration of what unique employment standards the farming and ranching industries have as their normal operating conditions in comparison to other industries, an omnibus bill isn’t the solution to improving farm safety.

Madam Chair, a worker in a factory probably would not accept that someone in a totally unrelated industry, who had never set foot in that factory, could write up useful and sensible safety legislation without working closely with the factory workers. In fact, it would be extremely foolish. Square pegs do not fit in round holes easily. The solution is not to get the omnibus hammer out to force something not designed to fit into a particular hole; the solution is to create a peg that is shaped to properly fit.

As such, the amendment is to separate employment standards from Bill 6 until such time as the unique industry is better understood by the people who intend to pass this legislation and the farmers and ranchers of Alberta have been able to have their say so that the best result for all Albertans is achieved.

Thank you very much, Madam Chair.

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

**Some Hon. Members:** Question.

[Motion on amendment A3 lost]

**The Chair:** Back on the main bill. Are there any questions, comments, or amendments with respect to the bill? Drumheller-Stettler.

**Mr. Strankman:** Well, thank you, Madam Chair. I, too, would like to rise and move an amendment for consideration because we're trying to make improvements to this piece of legislation here. With that, I'd like to move an amendment, and I have the required copies here.

**The Chair:** This will be known as amendment A4.

Go ahead, hon. member.

12:20

**Mr. Strankman:** Thank you, Madam Chair. Notice of amendment to Bill 6: I move that Bill 6, Enhanced Protection for Farm and Ranch Workers Act, be amended by striking out section 4. It's very brief.

While the introduction of omnibus legislation from the NDP, who rallied against such introductions when they were in opposition, is not necessarily a surprise to this Chamber, this place, there is one component of this omnibus package that requires extra-special attention. That, of course, is section 4, particularly 4(2)(e), which reads:

This Act does not apply to . . .

- (e) employees employed on a farm or ranch whose employment is directly related to
  - (i) the . . . production of eggs, milk, grain, seeds, fruit, vegetables, honey, livestock . . . animals within the meaning of the Livestock Industry Diversification Act, poultry or bees, or
  - (ii) any other primary agricultural operation specified in the regulations under the Employment Standards Code
 or to their employer while the employer is acting in the capacity of their employer.

Madam Chair, including the Labour Relations Code in this omnibus legislation is a problem; therefore, this amendment is worth the consideration of this House.

There is so much packed into this bill. It is like a Gordian knot. The more you pick up on one piece, the more the whole thing becomes unmanageable, somewhat like a Rubik's cube. At some point someone has to act like Alexander the Great and simply take a sword to the whole thing and try and get it unraveled. We've tried to put a sword through this thing, and the employment code section

is one thing. There may be something else about the employment section that this government really thinks essential, but they did not show us what it is. It's not the first weak argument followed by a whipped vote that we've seen in this House over the last month.

Making the inference that they're especially attached to the employment standards section, which they assure us is meaningless, we will attempt again to simplify this bill or reduce complication, actually focus in a little bit on safety instead of old union battles by striking out section 4. By trying to remove the reference to the Labour Relations Code, we are trying to help government keep their legislation straight and clear. With all the rallies and outcry over this bill never once have we heard anyone say that farm safety is not a concern. By the same token, never once have we heard that farm workers need to unionize. So why are these two separate and unrelated issues tied up in this bill?

One would think, Madam Chair, that in removing the exemption for farm workers from the Labour Relations Code, as this bill does in section 4, there has been a loud and resounding call for the right to unionize and participate in collective bargaining, that prompted the NDP to include this change. If such a call has been made, we haven't heard it. With all of the coverage on Bill 6, in print media, social media, and every other form of communication currently known, if this was such a major issue, surely there should have been coverage from one of these sources. If so many people were demanding the ability to have unions and collective bargaining on farms, there are friendly newspapers who would love to splash headlines all over the country about how unions are needed in Alberta. Yet there's been barely a whimper, if anything at all.

We saw from a consultation placard that the government was asking people if there is a time of the year when a strike would be too disruptive. I would ask the government: do any of you think that farm workers should be able to strike at any time of the year? Why would this government even consider including the Labour Relations Code in this legislation, which opens the door to all sorts of job actions, including strikes and work-to-rule provisions, that would risk valuable crops and the welfare of animals?

Madam Chair, I do not see any place in this legislation that is appealable. The government does not need to remove the exemption for farms under the Labour Relations Code. The relations between farmers and their employees have not generated sweeping calls to bring unions onto Alberta farms. The workers aren't just strangers that show up for a few hours a day. These workers are people passionate about farming and everything good that comes from that. They sometimes are active participants in the actual family farm activities and even form strong and lasting bonds with the people they work with and for. The relationship is not one of continual discontent and strife.

This makes me wonder, Madam Chair, as to why the government thinks it is necessary to put a labour relations component into Bill 6. If there had been long-standing tension between these farm workers and the families that employ them, this may make more sense, yet it seems that this is just another ideological policy, that makes an already vulnerable industry face additional costs and burden. Honestly, the introduction of a carbon tax, the locomotive fuel tax, higher minimum wages, all are driving prices higher on absolutely everything. More cost and administration are the last things that farmers and ranchers need by having to comply with extensive labour relation regulations in this code.

Madam Chair, Alberta isn't the embarrassing cousin that the hon. Premier says it is to impress her friends in eastern Canada and around the globe. There doesn't need to be the same ill-considered rush to force onerous labour relations onto every industry, especially one that doesn't seem to need this type of representation. No matter how much the government wants to believe it, Alberta

does not need ideological fixes of this type. Alberta does not need more collective bargaining, unions, interference, and/or more hassles for farmers or individual agricultural producers.

Albertans choose to farm for a variety of reasons, and they may be personal reasons. They want to bring goods and services of the highest quality and value to their neighbours, their friends, and, indeed, to the market itself. They don't need additional barriers and burdens on these ranches and farms. These are already staggering and buckling under the constant pressure of more and more red tape and bureaucracy. They want real solutions to real-world problems, and they are not getting it from a government that spends its time thinking up ways to destroy traditions, business operations, and lifestyle choices of many Albertan farmers and ranchers. Alberta farm workers aren't asking for unions and collective bargaining, and until such time as there is a clear indication from farm workers that such legislation is required, it's a mistake for this government to include it, making this omnibus bill more unwieldy.

**The Chair:** Any further speakers to amendment A4?

**Some Hon. Members:** Question.

**The Chair:** The question has been called.

[Motion on amendment A4 lost]

**The Chair:** On the main bill, the hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Hanson:** Thank you very much, Madam Chair. It's nice to see that it only takes a few thousand loud voices to get this government to actually stop and think about what their legislation says and to make some attempt to fix it. Since the stated objective of the Wildrose opposition is to help ensure that only the best laws are enacted to help Albertans, we take this role very seriously. With that in mind, Madam Chair, I would like to table this next amendment.

**The Chair:** This will be amendment A5.

**Mr. Hanson:** Notice of amendment for Bill 6: I move that Bill 6, Enhanced Protection for Farm and Ranch Workers Act, be amended in section 1 as follows: (a) by striking out subsection (2) and substituting the following:

(2) Section 2(4) is amended by adding "with 5 or fewer employers" after "farm or ranch."

And (b) by striking out subsection (3).

This amendment reassures family farmers that whatever this government ends up deciding to implement for bigger corporate farms, they will have the status quo and exemptions like other provinces. With five or fewer employees they will maintain the status quo and keep their exemption from the Employment Standards Code. As we all know, for a century there have been all kinds of employment standards changes, but farms have been usually excluded from these laws. This is not an oversight. This reflects a fact that farms are unique. Partly it is the fact that workers often are those who live there; partly it is the nature of the work. When the rains are coming and the harvest needs to get in, you don't punch out at 8 p.m. When the cows are calving in the middle of the night, you don't just turn lights off and go to bed.

Now, of course, we don't know what rules apply because they haven't set the standards yet. But that's the problem. Farmers don't trust this government, full of brand new MLAs, with virtually no agricultural background but plenty of nonagricultural labour activism background, to know how to get this right. I had occasion, Madam Chair, to check the various education and employment

backgrounds of our esteemed NDP MLAs. As I understand it, virtually none of them have been part of or have run a farming operation. It shows in the lack of understanding of employment standards that could or should be included in legislation for small farms. This makes it harder, especially as new MLAs, to give some push-back when a select few in the Premier's office or even outside the Premier's office insist that something needs to be included in the bill, and: don't worry, we'll sort it out later.

**12:30**

Farm work is not like other work. Proof of that is that across the country there are partial or full exemptions for farm workers in most of the employment standards categories. This includes minimum wages, stat holidays, overtime, hours of work, and vacation pay. In fact, New Brunswick, Saskatchewan, and Manitoba have partial exemptions in every category for farm workers. In Ontario farm workers are exempt from every category except for some of the provisions that apply to young workers. So what exactly is the intention in having this section here? Why, if Ontario is willing to exempt farming from the kinds of standards we would expect in a factory or other setting, is this government sticking this section into the omnibus bill?

These exemptions recognize that a family farm or ranch is a business operation unlike many others. The workers often live right where they work and work where they live. There is no 20-minute commute in the car to get to the office. The office is commonly a combination of the dining-room table, with the computer somewhere else in the house. Mornings begin early, and nights run late, especially at critical times in the farming business cycle. Responsibilities begin at a very young age, and everyone has a role to play.

The government seems to have got the sense of this in its amendment, but what it keeps refusing to acknowledge is the problem in insisting that the minute a family farm hires a single person, it is suddenly just like any other workplace. There are large, corporate farms, but that is not the norm. There are lots of smaller farms, and they usually have to hire a couple of people. They are still family farms. No farmer wants to see their family, friends, or employees hurt. It's equally true that in an effort to make this industry safer, simply legislating employment standards that apply to every industry will not meet the needs of small farms. It will instead serve to drive them into the ground under a sea of red tape and expense.

This is a common-sense amendment that recognizes the importance of safety while putting that in the context of small farms. There's tremendous wisdom in that. That is why I urge you to consider the unique needs of small farms when voting for this amendment.

Thank you.

**The Chair:** Any other speakers to amendment A5?

Seeing none, we'll call the question.

[Motion on amendment A5 lost]

**The Chair:** Back on the bill. Any further comments, questions, or amendments with respect to Bill 6?

**Mr. Fraser:** Madam Chair, I have an amendment to Bill 6.

**The Chair:** This is amendment A6.

Go ahead, hon. member.

**Mr. Fraser:** Thank you, Madam Chair. I move that Bill 6, Enhanced Protection for Farm and Ranch Workers Act, be amended by adding the following after section 10:

## Review of amendments by committee

- 11(1) A committee of the Legislative Assembly must begin a comprehensive review of the amendments made by this Act
- (a) within one year after all provisions of this Act have come into force, and
  - (b) thereafter, every 3 years after the date on which the previous committee submits its report under subsection (2).
- (2) A committee must submit a final report to the Legislative Assembly within 6 months after beginning a review under subsection (1).
- (3) The report of a committee may include the committee's recommendations for any further amendments to the legislation amended by this Act or for changes to any related regulations.

Madam Chair, I have had a few different jobs in my past, but one that kind of relates is, obviously, my job as an advanced care paramedic. You can imagine that all the calls that I go to are very important calls. For those people, in that time of crisis or need it is important for them and they need to know that the person coming into their home to care for their loved one can be trusted. Part of building that trust is how you present yourself, how you approach the patient. I can't think of any other patients that are probably looked at as more precious, not more so than any other patient but when it comes to adolescents, children.

You can imagine that when you go to treat a child, the child may not be able to speak and may be having a hard time trying to understand what's going on. They're injured. Their parents are there, and you can imagine that they're very protective. As you walk through the treatment plan, not only do you have to engage the child in a way that the child can understand, that the child can relate to, but you also have to explain the procedures that you're going to go through with the parents. As you do that, what it does is it starts to build trust – right? – which is the main key. If you step in and you perform a treatment without going through all of that, you can lose the trust, and once you lose the trust, even though your intent is to help, you can no longer treat that patient in the most effective way.

In fact, this is what we've seen here. The Premier, admittedly with strong leadership, has admitted that she made a mistake and the caucus and the cabinet, that the way it came out was a mistake. The first communication: what it did was it set farmers and ranchers and our farming community on their heels, and to add anything further to that – they were already protective.

Now, I remember a time as a paramedic, with the hon. Premier and the Government House Leader, when we transitioned from the city of Calgary to Alberta Health Services. This was unknown for us, and we had a lot of concerns. In fact, at the time, believe it or not, I was the president of the Calgary paramedic union, CUPE 3421. So I understand the labour movement. I do believe in the labour movement, but I also believe in responsibility and sustainability for the long term because it's not just about one particular group; it's about everybody in this province. You know, as we do that, as leaders we're representing everybody, not just one specific group.

I just remember having meetings back then with the hon. Premier and the Government House Leader and the hon. Health minister because they were concerned about what the government was doing at the time. They weren't consulting with us. They were pushing us into a position where we didn't want to go, and our recommendation, surprisingly enough, was: "Hold off. Wait a minute. It's okay if you want to fund emergency medical services, but allow the cities to own and operate it so that you could get a handle on it." Quite often, when you think of corporate takeovers,

that's what happens. They wait. They don't change anything immediately. They just operate it as it was so that they can get a feel for the landscape.

There's an opportunity, through this amendment short and sweet, a way to earn back some of the trust by going back in after you've done your regulations, after you've done this extensive consultation, to review it, to make sure that parts of it, after the consultation, will be amended.

This is a gesture of goodwill, not only to the thousands of farmers – and quite honestly, in all the protests that I've seen, I've never seen anything as big as this one in my time in government or on this side of the House. I've never seen the passion and the tears, and I can tell you, coming from a farming community, my father's farming community – I grew up in the city – that, man, they are super angry. They are super angry. I have never heard my dad that angry on the phone in a long time. He's a quiet, reasonable guy. He is a patient man. He was a small-business owner for over 40 years. You know, if I was half of the man that he is, well, maybe I'd be the Premier. I don't know. He's just wise, and when he gets mad, then I know there's a problem, and I knew it when I was a kid.

The thing is that that could be easily resolved by making some good gestures moving forward, and this is one simple piece: go in; review it after a while.

I thank the members for listening. Please vote.

**The Chair:** The hon. minister of economic development.

12:40

**Mr. Bilous:** Thank you very much, Madam Chair, and I thank the hon. Member for Calgary-South East for this amendment. I just want to speak to it briefly. First and foremost, I have no issues with the spirit of this amendment and what it's proposing, to come back to a legislative committee, once the act has been in place for some time, to review it, to make sure that it stays current and that all members of the House have an opportunity to provide that kind of feedback on an ongoing basis. For that, I commend him, for his idea and, like I said, for the spirit of this.

The challenge that I have, Madam Chair, is that regulations will still be in the process of being developed, again, in consultation with the farming and ranching community next year, and the challenge with this amendment is that the committee would begin next year while the regulations are still being developed. With that, you know, I have concerns, because we need to get the regulations in place to see how they're operating before we can review all of this in a comprehensive package.

Like I said, I appreciate the amendment, but for that reason, Madam Chair, I cannot support this amendment. Thank you.

**The Chair:** Any other speakers?

**Mr. Fraser:** Madam Chair, in section 11(1)(a) it says, "after all provisions of this Act have come into force." The regulations at that point wouldn't have come into force. Essentially, it allows them to make the regulations, put them into force, and then it's one year after that. So that explains that, and if there's wording to amend that bill, let's amend it and make it so.

**The Chair:** Any other speakers to amendment A6?

**Mr. Bilous:** Thank you, Madam Chair, and thank you to the member. My interpretation – although I am not a lawyer, I still have concerns. We're talking about: a legislative committee "must begin a comprehensive review of the amendments made by this Act," which is what we're debating right now in this House. I appreciate 11(1)(a), "within one year after all provisions of this Act have come

into force"; however, I still have concerns on how this could be interpreted.

Thank you, Madam Chair.

**The Chair:** Any other speakers to this amendment?

Seeing none, I'll call the vote.

[Motion on amendment A6 lost]

**The Chair:** We're back on the bill. The hon. Minister of Health.

**Ms Hoffman:** Thank you very much, Madam Chair. I just wanted to take a moment to talk about sort of where I was about five years ago. When I had first been elected to the Edmonton public school board, one of my colleagues brought forward the idea that we create a policy around ensuring safe, respectful, inclusive work and learning environments for staff, students, and families who were LGBTQ. At the time we received tremendous push-back. I have to say that some of the phone calls I received, some of the e-mails I received made me feel very unsafe and very disrespected. But it was the right thing to do. I know that there is great concern about what this is going to mean among some members of the farming community, but I know that the right thing to do is to make sure that the protection is in place to ensure safety for vulnerable workers.

I just want to say that I am so proud to be part of an Assembly that just voted unanimously, last week, to provide protections by adding gender expression and gender identity to our discrimination rights. I don't think that we would have been in a position five years ago to have the courage to do that as a unanimous Assembly. I know that it's efforts that sometimes create great discomfort that actually move us far ahead as a society, and I think that this is going to be one of those bills. I think that five years from now we'll be able to look at some of the changes that we've done in partnership with farm workers, with farm owners, with ranch owners, with ranch employees, and I think that we're going to be really proud of what we've accomplished. There are times of great tension and disruption, but I know in my heart of hearts that we're doing the right thing here by providing the very basic protections to the most vulnerable, Madam Chair.

Thank you very much.

**The Chair:** The hon. Member for Vermilion-Lloydminster.

**Dr. Starke:** Well, thank you, Madam Chair. I have an amendment to move, and I'll hand it to the pages.

I'll read the amendment into the record and will give a little bit of time for it to be distributed, but I'll preface my comments with a few remarks.

Based on the past voting record of the government on other amendments, amendments that I think were reasonable, amendments that I felt were sincere efforts at improving this legislation, this desperately flawed legislation, amendments that I thought would provide some opportunity for the government to provide at least some degree of – I don't want to use the word "comfort" because I don't think we can comfort rural Alberta at this point with this. With the communications that I've been receiving, at least over the last couple of weeks, Madam Chair, I think what we should all anticipate, if this legislation goes ahead, is a large number of farmers leaving the farm. That will be the effect of this legislation that you're patting yourselves on the back for. This legislation will result in a lot of farmers saying: "That's it. They've pushed me off the farm." If that was your goal, well, congratulations. Good work.

There are a lot of farms in this province that are currently owned and operated by people in their 50s or their 60s or their 70s. These

are folks that are perhaps looking at a time when they're going to leave farming, and this will be the straw that breaks the camel's back, this requirement for increased intrusion into the lives of an independent, proud people that don't want government interference in what they do. But that is the NDP way. The NDP way is to intervene, to interfere, and to have a we-know-better attitude from central government. It is very frustrating because one of the things that I learned very early on was that farm people can teach you a lot. I said that in my speech at second reading.

One of the most consistent concerns that has been brought up in the consultations is addressed by this amendment, and I'll just read it into the record. I move that Bill 6, the Enhanced Protection for Farm and Ranch Workers Act, be amended as follows. In part A section 3 is struck out, and the following is substituted:

3 This Part comes into force on January 1 of the year following notification by the Minister to the Assembly that public consultation has been completed on this Part.

In part B subsection (3) in section 4 is struck out, and the following is substituted:

(3) This section comes into force on January 1 of the year following notification by the Minister to the Assembly that public consultation has been completed on this section.

In part C section 8 is struck out, and the following is substituted:

8 This Part comes into force on January 1 of the year following the Minister notifying the Assembly that public consultation has been completed on proposed regulations under the Occupational Health and Safety Act referenced in this Part.

In part D section 10 is struck out, and the following is substituted:

10 This Part comes into force on January 1, 2017.

Madam Chair, these four provisions are in this amendment to provide the government with the opportunity to address a concern that came up repeatedly. One of the main causes of anger amongst Alberta farmers, ranchers, and rural Albertans is that they were not consulted and that not only is this legislation going to be passed in the next 24 hours and the first aspects of it are going to be coming into effect in 22 days but that the consultation that has been promised will happen after the legislation is enacted, after the legislation is put into place. After all of the misinformation, after all of the confusion that has been caused by this government about this piece of legislation, after the way it has been clearly interpreted by farmers and ranchers, not incorrectly, that this legislation threatens the farming and ranching way of life in this province, this government expects to be trusted. Well, I will tell you something: good luck with that one. Whatever else you may think about farmers, farmers aren't stupid.

Ladies and gentlemen, if you want to save some face, if you want to rebuild your tattered reputation with rural Alberta, if you want to have any opportunity whatsoever of regaining the confidence of those that live on the land, those that feed you, then I would strongly suggest that you look at this amendment.

What it does, essentially, in the first three parts is state that the legislation will not come into effect until January 1 of the year, following the completion of consultations, after you've talked to farmers, after you've done your consultation process, not before. Show them some respect. Section D moves back the coming-into-effect date to January 1, 2017, and that is designed that way because I know that the Workers' Compensation Board part of this, which is, ostensibly, the real reason that you've put this into place, will come into effect not in 23 days but in one year and 23 days.

**12:50**

Madam Chair, I do not think that there is anything that this government at this point can do to fully regain the trust of Albertans. They can't regain the trust of rural Albertans, for sure, and I can tell you that this is not an urban-rural split issue because

urban Alberta supports the farmers in this, too. They know where their food comes from. Although I realized that it was probably a quixotic quest to suggest that we could pass amendments that would actually help with this piece of legislation, that we could pass amendments tonight with the co-operation of a government caucus that would listen carefully and consider carefully each and every amendment before they simply voted them down to participate like sheep – although I would proffer up to you that they understand very little about sheep or any other farm animal – I will tell you that it is disappointing, to say the least, that these reasonable amendments, these amendments that would have improved these pieces of legislation, were not given fuller consideration. I give the Minister of Economic Development and Trade credit that he at least addressed the last amendment and indicated why he couldn't accept it although, quite frankly, I think that the explanation from my hon. friend was certainly adequate. Nonetheless, we have this last amendment, this last-ditch attempt before democracy is cut off, to try to improve this bill one last time.

Albertans have been watching these proceedings. The ratings for the Assembly Online channel have skyrocketed. If that was your goal, well, that has been accomplished.

**Mr. Cooper:** They're selling ads soon.

**Dr. Starke:** They're selling ads? Fantastic.

Madam Chair, that's perhaps a good thing. This has resulted in Albertans becoming engaged in their democracy, and that is a good thing. But I will tell you that there are many Albertans that are not impressed with their newly minted government. There are many Albertans that are indeed very disappointed that this government, that came in with so much promise, with so much potential, and with so much willingness and desire to do things differently – well, quite frankly, I recognize these patterns. I recognize these patterns because I was part of these patterns: the summary dismissing of good amendments just simply because, well, the opposition is the opposition, and we just don't listen to them. I know now that some of that was a mistake, a big mistake.

But even then, Madam Chair, we did accept reasonable amendments from the opposition. Not nearly as many as we should have, but we did accept reasonable amendments. Those amendments, I believe, improved legislation that we had. This piece of legislation can be improved by pushing back the coming-into-force date. That is what this amendment asks for. I urge the government to consider supporting this particular amendment, as I know that members on this side of the House will.

Thank you.

**The Chair:** The hon. Member for Barrhead-Morinville-Westlock.

**Mr. van Dijken:** Thank you, Madam Chair. I rise in support of the amendment. The Member for Vermilion-Lloydminster talked about regaining the trust of rural Alberta. One thing that we notice is that you have made a mark. I would say that it was very telling at the meeting in Athabasca today that a third-generation NDP man, who had worked on the campaign for the Member for Athabasca-Sturgeon-Redwater, stood up at that meeting and called the member out, saying: "You're breaking your promise. You said to us that you would listen to your constituents, and now you're breaking your promise." You have made your mark, and you will see how it all works out. That third-generation NDPer apologized to all Alberta farmers for this government. He apologized for this NDP government, and I suspect that he might be revoking his membership.

Thank you, Madam Chair.

**Mr. McIver:** You know what, Madam Chair? This is an amazing olive branch that my esteemed colleague has given to the government, a chance to retain a little . . .

**Mr. Cooper:** A peace offering to rural Alberta.

**Mr. McIver:** A peace offering. Really, a chance to retain a little bit of credibility with rural Alberta.

You know, you can laugh at us all you want. You can ignore us. You've got the majority. But you know who's got the hammer? Albertans. And Albertans are not pleased with Bill 6. When Albertans get a chance, they'll wield the hammer. You know what that looks like? It looks like May 5, only you won't enjoy it so much next time they wield the hammer. You know, when you poke them in the eye that much, they notice that. They tend to notice when they are ignored.

You know what? The amendment is incredibly reasonable. My colleague, actually, with this amendment is making the assumption that the government is going to keep part of their promise, that they're going to talk to farmers and ranchers before they put this in action, give them a reasonable amount of time to adjust, and then do it. You know, I didn't think there was any way, with what's gone on so far, that the government could retain any shred of a chance to have faith from the rural community and Albertans. This won't repair all the damage that the government has done to itself in the last week or two, but it will probably repair some of it. What it says, if you do this, is that you will take some time, talk to farmers and ranchers. Even if you don't – I sincerely hope you do – you'll give them some time to adjust.

They've been ranching, they've been farming, they've been running their businesses, and they've been feeding their families on farms, doing it safely and credibly and in a good way for over a hundred years. They deserve some respect. What this says is: give them the respect, give them the dignity if you're going to make changes that they have not approved. Lord knows, you shouldn't make the changes unless they approve them. But it at least gives you a shred of credibility with them. When they think about what's happened here, they might say: we hate what you've done, but we're going to have a chance to adjust before the cement goes hard on the law, before the regulations come into place, before it's all over.

This really is the opportunity that you have – the last opportunity, it seems – to make that happen because of the time allocation that you have put on to cut off debate on something that is so very important to all of Alberta and extremely important to rural Alberta. Boy, I'll tell you what. If I were you and I had a chance to save a little bit of credibility with the very people that you work for, that we all work for – I know they're my boss, they're our caucus's boss, and they're the boss of all of us, the people of Alberta.

You know, respect matters. I've heard members from the government side talk about respect and dignity of Alberta workers and Alberta citizens. I'll tell you that in the Bill 6 debate, the way Bill 6 has been rammed through, the way farmers and ranchers up till now have been ignored, a little dose of respect at the back end of this thing would go a long way and would be a very positive development at this point, certainly one that I think even opposition members would appreciate if the government could see their way clear to doing this.

That's what it comes down to, folks. We're down to the bitter end, the last chance to do the right thing for Albertans, Alberta families, Alberta farmers, Alberta ranchers. I sincerely hope that the members on all sides of the House – and I guess I'm particularly talking to members on the government side – can find their way clear to supporting a very reasonable amendment, which is indeed

an olive branch offered by my esteemed colleague from Vermilion-Lloydminster.

**1:00**

**The Chair:** The hon. minister of economic affairs.

**Mr. Bilous:** Thank you very much. I'll keep my comments brief. I know opposition members have other comments. I just wanted to respond to the Member for Vermilion-Lloydminster. I wanted to thank him for this amendment that he's tabled and his colleague, the leader of the third party, for speaking to this.

A couple of things I just want to clarify. First of all, again, this is something where I agree with the spirit of what this is trying to do. I have been to numerous public meetings over the last few days engaging with farmers and ranchers, and I can tell this Assembly that this amendment is not necessary, Madam Chair, because our government has committed to engage in a province-wide consultation that will take anywhere between 12 to 18 months. The purpose of it is to develop the regulations with the very experts, farmers and ranchers. We're going to be going through numerous vehicles, or ways, of engaging with the public to ensure that every Albertan who wants to give their feedback and explain their situation will have the opportunity through a variety of tools. This consultation will take place not just before we draft the regulations, but once they are drafted, we will go back out and ensure that we've correctly captured the carve-outs or the caveats. We want to respect the way of life that farmers and ranchers have built. It's not just a job; it is a way of life. They have very unique working circumstances, and we want to respect that.

Again, I do appreciate the hon. member's intention with this amendment, but the purpose of this bill in coming forward with WCB protections as of January 1 is that Alberta is the only province that doesn't offer paid farm workers that protection. I acknowledge that there are some farmers throughout the province who go above and beyond, who have offered private insurance, who take care of their workers. We recognize that safety is a primary concern for all farmers and ranchers. However, there are examples throughout the province of where there are paid farm workers who do not have coverage, and this bill will ensure that they have that coverage starting on January 1. But we are going to work with the farming and ranching community to make sure that we get our regulations correct.

One last point to what the leader of the third party said. He said that Albertans have said that they do not want this bill. Some Albertans are displeased with this bill, Madam Chair, but no one in this Chamber exclusively speaks for all Albertans. There are Albertans who have been asking for this, who are in favour of this. There are farm workers that have been asking for protections. Quite frankly, it's time that Alberta joins the rest of our country and ensures that paid farm workers have those basic protections.

For that reason, Madam Chair, I will not be supporting this amendment.

**The Chair:** Olds-Didsbury-Three Hills.

**Mr. Cooper:** Thank you, Madam Chair. As we wind down in the stifling pressure of closure, I just want to say one very brief thing. What this amendment does is that it allows the government to walk the talk, to actually have words on paper that require them to do what they say. If the last six or seven months have taught us anything about this government, it's that we've seen a pattern of saying one thing and doing another, of misinformation, of actions and behaviours that don't build trust. What my hon. colleague has proposed is putting down in the legislation that the consultation will actually be meaningful, that they will in fact respect farmers and

ranchers clear across this province, because they don't believe that that will happen.

If the government wants to walk the talk, if they want to put teeth into the words that they say, if they want to communicate in such a manner that there is weight behind their words, this is the last opportunity to do that. I strongly encourage the government to think about exactly what this means and how they can put some meaning behind what they say that they will do and reassure farmers and ranchers that they will listen. That's exactly what the amendment does, and I encourage all members to support it.

**The Chair:** Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Thank you, Madam Chair. Normally I rise in this Assembly to speak for the people of Rimbey-Rocky Mountain House-Sundre, and in a few minutes I will speak on their behalf with the rest of my colleagues and proudly vote against this in Committee of the Whole. But I just briefly want to speak on behalf of the thousands of constituents that are reaching out to me and my colleagues from the rural Alberta ridings of these NDP MLAs. Thousands of them are reaching out to us right now, asking us to tell their representative to stand up and represent them. Stand up for them. That's what they were sent to this House to do, just like the rest of us. Today I'm going to stand up, and I'm going to represent the people of Rimbey-Rocky Mountain House-Sundre. I can assure you that the people where I live are going to remember that I stood up here today for them, and they're going to remember that these rural MLAs did not stand up for their constituents today.

Madam Chair, that shouldn't matter. There is going to be a terrible political consequence to this. There is absolutely no doubt about it. Everybody who has been back home this weekend knows that the rural MLAs in the NDP caucus are in serious trouble, but that should not be what makes the decision for them. They should make the decision because to come to this Assembly here is a great honour. To represent all your constituents is a great honour, and they should be taking that seriously. They should be taking that responsibly. Every one of them on this other side of this Assembly, through you, Madam Chair, knows what their constituents have asked them.

There is going to be trouble along the way, where you're going to have a tough time deciding what to do in this job. There's no doubt about it. You're going to have a tough time understanding what your constituents want. On this issue that is not the case. There is no doubt. The overwhelming number of constituents, of farmers and ranchers, are making it clear that this bill is unacceptable. They have stood inside town halls. The minister has stood there and has heard without a doubt that the message is: kill Bill 6. But these NDP MLAs from rural Alberta, that represent thousands of farmers, are about to stand up and vote with the government against their own constituents. That is an embarrassment, and they should be ashamed of it.

I sure hope they get the courage to stand up and vote for their constituents. I know that I'm going to, I know that my colleagues in the Official Opposition are, and I know my colleagues in the third party are. That is the right thing to do. Again, reach for the courage. Ignore your whip. Stand up for your constituents. Do what you were elected for.

Thank you very much, Madam Chair.

**Mr. McIver:** Madam Chair, you know, I heard the minister talk about that nobody speaks exclusively for all the farmers and ranchers, and he's right. But you know what? There were 2,000 of them on the doorstep here. I know that people tried to get rallies in support of Bill 6, and they weren't there.

At some point democracy actually has to be represented. There is no doubt. I am sure there are a few people that disagree with our position, that agree with Bill 6, but for every one of those, it's pretty obvious there are hundreds or thousands that are against Bill 6. Why? Because we've heard them. We've gotten e-mails, unbelievable e-mails, from all over the province, phone calls. We've had people here by the thousands protesting. We've had your ministers being shouted down. I give them credit for talking to them, but sometimes you have to let something come into your head and not bounce off the outside of it if you want to stick around here. I know you could do it. Democracy matters. Representing people matters.

You know what? You're not messing with somebody's hobby. You're messing with their lives. You're messing with the very people and families that feed all of us in one of the industries that so far should have a bright future. You know what? The government has gone to the trouble to trash out the coal industry and the oil and gas industry and to tax everything that moves, but there is one industry that ought to stick around. It ought to include the family farms. You ought to let it happen, and you ought to let them participate when you do it. Bill 6 flies in the face of every ounce and every bit of that. It's wrong. It's wrong.

**The Chair:** Are you speaking to the amendment?

1:10

**Mr. McIver:** I am speaking to the amendment.

The amendment gives you a chance to actually say that you're going to listen to some of those farmers and ranchers. Frankly, it's the last chance. You know, again, I talked to some members of the government side, and they said: well, how did you guys stick around for 44 years? Well, we didn't get voted in once; it was a bunch of times. But I'll tell you what. Our government, that stuck around for 44 years, was imperfect, folks. You know that. We know that. But you know how we stuck around? When something really bad and something really negative was going to happen, out of everybody's sight, in caucus, people got a hold of the Premier of the day and said: "No, Premier. We're not doing that because our constituents said that that's not what they want." And the government survived, and Alberta was better, and Albertans' interests were represented.

That is the way that democracy is designed to run, that's the way democracy ought to run, and that's the way any government with self-respect ought to represent the people that voted for them, to bring them here. That is what we're asking you to do. That's certainly what people on this side of the House have done. Our party, the other opposition parties have listened to those people, and the message has been crystal clear.

You know what? There are going to be lots of issues over the next three and a half years that can be debated with areas of grey, but, man, if there was ever a black-and-white issue with the vast majority of Albertans, more so the vast majority of Albertans that are directly affected by Bill 6 – boy – while they're not a hundred per cent of one mind, there's not much doubt that a vast majority of them are in agreement that this is bad medicine. It's bad for the future of Alberta. It's bad for our food supply. It's tough on some really nice people – some really nice people – people that you've got in tears, people that are going to lose sleep for the next year or two. You know what? You are killing them. You are killing them.

I'll tell you what. One of the things that I've heard and that I sincerely hope isn't true is that there's going to be bad news, personal bad news, coming out of the farm and ranch community because of the stress that Bill 6 is putting on them. You may see

that bad news come out tonight or you may see it next month or you may see it the month after, but when you do – boy, oh boy – I wouldn't want to be thinking about the decision that I made today if you go ahead and plow ahead with Bill 6 without actually taking the time to talk to farmers and ranchers before you do it.

You know what, folks? This is the last minute of overtime because while we will have the third reading, after the time allocation you've put on it, it's too late for amendments, folks. This is your last chance to do a shred of the right thing before . . .

**The Chair:** I hesitate to interrupt the hon. member, the leader of the third party, but pursuant to Government Motion 27, agreed to on December 9, 2015, which states that after one hour of debate all questions must be decided to conclude debate on Bill 6, Enhanced Protection for Farm and Ranch Workers Act, I must now put the following questions to conclude debate.

[The voice vote indicated that the motion on amendment A7 lost]

[Several members rose calling for a division. The division bell was rung at 1:14 a.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Aheer	Hunter	Pitt
Barnes	Loewen	Schneider
Cooper	MacIntyre	Smith
Cyr	McIver	Starke
Drysdale	Nixon	Strankman
Fildebrandt	Orr	van Dijken
Fraser	Panda	Yao
Hanson		

Against the motion:

Babcock	Gray	Notley
Bilous	Hoffman	Piquette
Carlier	Horne	Renaud
Carson	Kazim	Sabir
Connolly	Littlewood	Schmidt
Coolahan	Loyola	Schreiner
Cortes-Vargas	Luff	Shepherd
Dach	Malkinson	Sucha
Dang	McCuaig-Boyd	Sweet
Drever	McKitrick	Turner
Eggen	Miller	Westhead
Feehan	Miranda	Woollard
Fitzpatrick	Nielsen	

Totals:	For – 22	Against – 38
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[Motion on amendment A7 lost]

[The remaining clauses of Bill 6 agreed to]

[Title and preamble agreed to]

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

[The voice vote indicated that the request to report Bill 6 carried]

[Several members rose calling for a division. The division bell was rung at 1:19 a.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]



## For the motion:

Babcock	Gray	Notley
Bilous	Hoffman	Piquette
Carlier	Horne	Renaud
Carson	Kazim	Sabir
Connolly	Littlewood	Schmidt
Coolahan	Loyola	Schreiner
Cortes-Vargas	Luff	Shepherd
Dach	Malkinson	Sucha
Dang	McCuaig-Boyd	Sweet
Drever	McKitrick	Turner
Eggen	Miller	Westhead
Feehan	Miranda	Woollard
Fitzpatrick	Nielsen	

## Against the motion:

Aheer	Hunter	Pitt
Barnes	Loewen	Schneider
Cooper	MacIntyre	Smith
Cyr	McIver	Starke
Drysdale	Nixon	Strankman
Fildebrandt	Orr	van Dijken
Fraser	Panda	Yao
Hanson		

Totals: For – 38                      Against – 22

[Request to report Bill 6 carried]

**Mr. Bilous:** Madam Chair, I move that we rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Deputy Government House Leader.

**Mr. Bilous:** Thank you, Madam Speaker. Seeing that the hour is late, I ask for unanimous consent to move to one-minute bells for the duration of this evening.

[Unanimous consent granted]

**Ms Woollard:** Madam Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports the following bill with some amendments: Bill 6. 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:** Agreed.

**The Deputy Speaker:** Opposed? So ordered.  
The hon. Deputy Government House Leader.

**Mr. Bilous:** Thank you very much, Madam Speaker. A little drowsy after a very long week that all members shared, I move that we adjourn the House until 9 a.m. on Thursday.

[Motion carried; the Assembly adjourned at 1:25 a.m. on Thursday to 9 a.m.]



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