



Province of Alberta

The 29th Legislature
Second Session

Alberta Hansard

Tuesday afternoon, April 5, 2016

Day 9

The Honourable Robert E. Wanner, Speaker

Legislative Assembly of Alberta
The 29th Legislature

Second Session

Wanner, Hon. Robert E., Medicine Hat (ND), Speaker
Jabbour, Deborah C., Peace River (ND), Deputy Speaker and Chair of Committees
Sweet, Heather, Edmonton-Manning (ND), Deputy Chair of Committees

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|---------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| Aheer, Leela Sharon, Chestermere-Rocky View (W) | Luff, Robyn, Calgary-East (ND) |
| Anderson, Shaye, Leduc-Beaumont (ND) | MacIntyre, Donald, Innisfail-Sylvan Lake (W) |
| Anderson, Wayne, Highwood (W) | Malkinson, Brian, Calgary-Currie (ND) |
| Babcock, Erin D., Stony Plain (ND) | Mason, Hon. Brian, Edmonton-Highlands-Norwood (ND), Government House Leader |
| Barnes, Drew, Cypress-Medicine Hat (W) | McCuaig-Boyd, Hon. Margaret, Dunvegan-Central Peace-Notley (ND) |
| Bilous, Hon. Deron, Edmonton-Beverly-Clareview (ND), Deputy Government House Leader | McIver, Ric, Calgary-Hays (PC), Leader of the Progressive Conservative Opposition |
| Carlier, Hon. Oneil, Whitecourt-St. Anne (ND), Deputy Government House Leader | McKittrick, Annie, Sherwood Park (ND) |
| Carson, Jonathon, Edmonton-Meadowlark (ND) | McLean, Hon. Stephanie V., Calgary-Varsity (ND) |
| Ceci, Hon. Joe, Calgary-Fort (ND) | McPherson, Karen M., Calgary-Mackay-Nose Hill (ND) |
| Clark, Greg, Calgary-Elbow (AP) | Miller, Barb, Red Deer-South (ND) |
| Connolly, Michael R.D., Calgary-Hawkwood (ND) | Miranda, Hon. Ricardo, Calgary-Cross (ND) |
| Coolahan, Craig, Calgary-Klein (ND) | Nielsen, Christian E., Edmonton-Decore (ND) |
| Cooper, Nathan, Olds-Didsbury-Three Hills (W), Official Opposition House Leader | Nixon, Jason, Rimbey-Rocky Mountain House-Sundre (W), Official Opposition Whip |
| Cortes-Vargas, Estefania, Strathcona-Sherwood Park (ND), Government Whip | Notley, Hon. Rachel, Edmonton-Strathcona (ND), Premier |
| Cyr, Scott J., Bonnyville-Cold Lake (W), Official Opposition Deputy Whip | Orr, Ronald, Lacombe-Ponoka (W) |
| Dach, Lorne, Edmonton-McClung (ND) | Panda, Prasad, Calgary-Foothills (W) |
| Dang, Thomas, Edmonton-South West (ND) | Payne, Hon. Brandy, Calgary-Acadia (ND) |
| Drever, Deborah, Calgary-Bow (ND) | Phillips, Hon. Shannon, Lethbridge-West (ND) |
| Drysdale, Wayne, Grande Prairie-Wapiti (PC), Progressive Conservative Opposition Whip | Piquette, Colin, Athabasca-Sturgeon-Redwater (ND) |
| Eggen, Hon. David, Edmonton-Calder (ND) | Pitt, Angela D., Airdrie (W) |
| Ellis, Mike, Calgary-West (PC) | Renaud, Marie F., St. Albert (ND) |
| Feehan, Hon. Richard, Edmonton-Rutherford (ND) | Rodney, Dave, Calgary-Lougheed (PC) |
| Fildebrandt, Derek Gerhard, Strathmore-Brooks (W) | Rosendahl, Eric, West Yellowhead (ND) |
| Fitzpatrick, Maria M., Lethbridge-East (ND) | Sabir, Hon. Irfan, Calgary-McCall (ND) |
| Fraser, Rick, Calgary-South East (PC) | Schmidt, Hon. Marlin, Edmonton-Gold Bar (ND) |
| Ganley, Hon. Kathleen T., Calgary-Buffalo (ND) | Schneider, David A., Little Bow (W) |
| Goehring, Nicole, Edmonton-Castle Downs (ND) | Schreiner, Kim, Red Deer-North (ND) |
| Gotfried, Richard, Calgary-Fish Creek (PC) | Shepherd, David, Edmonton-Centre (ND) |
| Gray, Hon. Christina, Edmonton-Mill Woods (ND) | Sigurdson, Hon. Lori, Edmonton-Riverview (ND) |
| Hanson, David B., Lac La Biche-St. Paul-Two Hills (W), Official Opposition Deputy House Leader | Smith, Mark W., Drayton Valley-Devon (W) |
| Hinkley, Bruce, Wetaskiwin-Camrose (ND) | Starke, Dr. Richard, Vermilion-Lloydminster (PC), Progressive Conservative Opposition House Leader |
| Hoffman, Hon. Sarah, Edmonton-Glenora (ND) | Stier, Pat, Livingstone-Macleod (W) |
| Horne, Trevor A.R., Spruce Grove-St. Albert (ND) | Strankman, Rick, Drumheller-Stettler (W) |
| Hunter, Grant R., Cardston-Taber-Warner (W) | Sucha, Graham, Calgary-Shaw (ND) |
| Jansen, Sandra, Calgary-North West (PC) | Swann, Dr. David, Calgary-Mountain View (AL) |
| Jean, Brian Michael, QC, Fort McMurray-Conklin (W), Leader of the Official Opposition | Taylor, Wes, Battle River-Wainwright (W) |
| Kazim, Anam, Calgary-Glenmore (ND) | Turner, Dr. A. Robert, Edmonton-Whitemud (ND) |
| Kleinstauber, Jamie, Calgary-Northern Hills (ND) | van Dijken, Glenn, Barrhead-Morinville-Westlock (W) |
| Larivee, Hon. Danielle, Lesser Slave Lake (ND) | Westhead, Cameron, Banff-Cochrane (ND), Deputy Government Whip |
| Littlewood, Jessica, Fort Saskatchewan-Vegreville (ND) | Woollard, Denise, Edmonton-Mill Creek (ND) |
| Loewen, Todd, Grande Prairie-Smoky (W) | Yao, Tany, Fort McMurray-Wood Buffalo (W) |
| Loyola, Rod, Edmonton-Ellerslie (ND) | Vacant, Calgary-Greenway |

Party standings:

New Democrat: 54 Wildrose: 22 Progressive Conservative: 8 Alberta Liberal: 1 Alberta Party: 1 Vacant: 1

Officers and Officials of the Legislative Assembly

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|-----------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------|
| Robert H. Reynolds, QC, Clerk | Philip Massolin, Manager of Research Services | Chris Caughell, Assistant Sergeant-at-Arms |
| Shannon Dean, Senior Parliamentary Counsel/Director of House Services | Nancy Robert, Research Officer | Gordon H. Munk, Assistant Sergeant-at-Arms |
| Stephanie LeBlanc, Parliamentary Counsel and Legal Research Officer | Brian G. Hodgson, Sergeant-at-Arms | Janet Schwegel, Managing Editor of <i>Alberta Hansard</i> |

Executive Council

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| Rachel Notley | Premier, President of Executive Council |
| Sarah Hoffman | Deputy Premier, Minister of Health |
| Deron Bilous | Minister of Economic Development and Trade |
| Oneil Carlier | Minister of Agriculture and Forestry |
| Joe Ceci | President of Treasury Board and Minister of Finance |
| David Eggen | Minister of Education |
| Richard Feehan | Minister of Indigenous Relations |
| Kathleen T. Ganley | Minister of Justice and Solicitor General |
| Christina Gray | Minister of Labour, Minister Responsible for Democratic Renewal |
| Danielle Larivee | Minister of Municipal Affairs |
| Brian Mason | Minister of Infrastructure, Minister of Transportation |
| Margaret McCuaig-Boyd | Minister of Energy |
| Stephanie V. McLean | Minister of Service Alberta, Minister of Status of Women |
| Ricardo Miranda | Minister of Culture and Tourism |
| Brandy Payne | Associate Minister of Health |
| Shannon Phillips | Minister of Environment and Parks, Minister Responsible for the Climate Change Office |
| Irfan Sabir | Minister of Human Services |
| Marlin Schmidt | Minister of Advanced Education |
| Lori Sigurdson | Minister of Seniors and Housing |

STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Miller
Deputy Chair: Mrs. Schreiner

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| Cyr | McKitrick |
| Dang | Taylor |
| Ellis | Turner |
| Horne | |

Standing Committee on Alberta's Economic Future

Chair: Mr. Sucha
Deputy Chair: Mr. Schneider

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| Anderson, S. | Hunter |
| Carson | Jansen |
| Connolly | Panda |
| Coolahan | Piquette |
| Dach | Schreiner |
| Fitzpatrick | Taylor |
| Gotfried | |

Select Special Ethics and Accountability Committee

Chair: Mrs. Littlewood
Deputy Chair: Ms Miller

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| Anderson, W. | Nielsen |
| Clark | Nixon |
| Connolly | Renaud |
| Cortes-Vargas | Starke |
| Cyr | Sucha |
| Drever | Swann |
| Jansen | van Dijken |
| Loyola | |

Standing Committee on Families and Communities

Chair: Ms Goehring
Deputy Chair: Mr. Smith

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| Drever | Pitt |
| Hinkley | Rodney |
| Horne | Shepherd |
| Jansen | Swann |
| Luff | Westhead |
| McPherson | Yao |
| Orr | |

Standing Committee on Legislative Offices

Chair: Mr. Shepherd
Deputy Chair: Mr. Malkinson

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| Cooper | Littlewood |
| Ellis | Nixon |
| Horne | van Dijken |
| Jabbour | Woollard |
| Kleinsteuber | |

Special Standing Committee on Members' Services

Chair: Mr. Wanner
Deputy Chair: Cortes-Vargas

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| Cooper | McIver |
| Dang | Nixon |
| Fildebrandt | Piquette |
| Jabbour | Schreiner |
| Luff | |

Standing Committee on Private Bills

Chair: Ms McPherson
Deputy Chair: Mr. Connolly

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| Anderson, W. | Kleinsteuber |
| Babcock | McKitrick |
| Drever | Rosendahl |
| Drysdale | Stier |
| Fraser | Strankman |
| Hinkley | Sucha |
| Kazim | |

Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Fitzpatrick
Deputy Chair: Ms Babcock

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| Carson | Loyola |
| Coolahan | McPherson |
| Cooper | Nielsen |
| Ellis | Schneider |
| Goehring | Starke |
| Hanson | van Dijken |
| Kazim | |

Standing Committee on Public Accounts

Chair: Mr. Fildebrandt
Deputy Chair: Mr. S. Anderson

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| Barnes | Luff |
| Cyr | Malkinson |
| Dach | Miller |
| Fraser | Renaud |
| Goehring | Turner |
| Gotfried | Westhead |
| Hunter | |

Standing Committee on Resource Stewardship

Chair: Loyola
Deputy Chair: Mr. Loewen

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| Aheer | Kleinsteuber |
| Babcock | MacIntyre |
| Clark | Malkinson |
| Dang | Nielsen |
| Drysdale | Rosendahl |
| Hanson | Woollard |
| Kazim | |

Legislative Assembly of Alberta

1:30 p.m.

Tuesday, April 5, 2016

[The Speaker in the chair]

The Speaker: Please be seated.

Introduction of Guests

The Speaker: The Minister of Labour and minister responsible for democratic renewal.

Ms Gray: Thank you, Mr. Speaker. It is a great pleasure for me to introduce to you and through you to all members of this House fantastic students from the school of Greenview in my home community of Woodvale. This school is located just blocks away from where I've resided for the past 15 years. I've had the pleasure of reading to these classes, and I hope they very much enjoyed their visit here today. I'd like to ask them to please stand and receive the warm welcome of the House.

The Speaker: Welcome.

The Member for Edmonton-Decore.

Mr. Nielsen: Well, thank you, Mr. Speaker. It's an honour to be able to rise today and introduce to you and through you to all members of the Assembly a fantastic grade 6 class from St. Philip Catholic school. It's an honour for me to have 21 schools in my riding of Edmonton-Decore, with St. Philip being one of them. The last time I visited St. Philip was for their carnival, and the students did a great job teaching me how to use code to take a selfie. It was a wonderful display of Italian culture, which is just another example of the cultural diversity of Edmonton-Decore. I truly look forward to visiting them again later on in the school year. I would now ask that they please rise and receive the traditional warm welcome of this Assembly.

The Speaker: Welcome.

The Member for Peace River.

Ms Jabbour: Thank you, Mr. Speaker. I'm pleased to introduce the members of the Education Advisory Committee. This provincial committee offers pedagogical expertise to the visitor services office in their development of educational programming and represents elementary, junior high, senior high, and postsecondary education across Alberta. With us today are Dr. Carla Peck from the Faculty of Education, University of Alberta; Dr. Craig Harding, social studies learning leader, Calgary board of education; Corvin Urbach from Wolf Creek public schools in Ponoka; Lauren Wheeler from the Alberta Museums Association; Dr. Wally Diefenthaler, educational consultant; Brian St. Germain from the First Nations, Métis, and Inuit learning services, Red Deer public school district.

The committee is also joined this year by Karen Aitken, director of the parliamentary education office of the British Columbia Legislature, here to observe the committee's activities. Would you please give them all the warm traditional welcome of this House.

The Speaker: Welcome.

The Minister of Municipal Affairs.

Ms Larivee: Thank you, Mr. Speaker. It gives me great pleasure to rise today and introduce to you and through you to this Assembly staff from the municipal services and legislation division of my ministry, Municipal Affairs. With us today we have Linda Lewis,

Susan Thomson, Angela Markel, Doug Walter, Abdel-Rahman Ahmed, Ida Dei, Laura Klassen Bullock, and Jayne Nicol. These staff members all work in the legislative projects unit and provide valuable support on a wide variety of initiatives. For the past several months they have been heavily engaged in our major priority, developing proposed amendments to the Municipal Government Act. I am so grateful for their tireless work on the MGA, and I am looking forward to bringing the legislative amendments forward later this spring. I ask these staff members to all please rise and receive the warm welcome of this Assembly.

Thank you.

The Speaker: Members and guests, the highest priority, visitors to this House, is school groups, and it appears that there is another school group that was to be mentioned. The minister for democratic renewal.

Ms Gray: Thank you very much, Mr. Speaker. It's my pleasure to rise and introduce to you this afternoon another school group, also from the constituency of Edmonton-Mill Woods, the Millwoods Christian school, who are here for the entire week for School at the Leg. I hope they find lots of interesting things to learn and do, and I'm looking forward to speaking with them later in the week. They are accompanied by their teacher, Mrs. Tanis Dubé, and I'd like them to please rise and receive the warm welcome of this House.

The Speaker: Welcome.

The Minister of Advanced Education.

Mr. Schmidt: Well, thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly members of the Council of Alberta University Students, commonly known as CAUS. This group represents the interests of more than 100,000 university students from the University of Alberta, the University of Calgary, the University of Lethbridge, Mount Royal University, and MacEwan University. We admire the work that these students do in their advocacy and lobbying to ensure quality, accessible postsecondary education for all Albertans. Seated in the gallery, a safe lobbying distance away from all of the members here on the floor – and I'd ask that they stand as I read their names – are Romy Garrido, Brittany Pitruniak, Danika McConnell, Levi Nilson, Erik Queenan, Madina Kanayeva, Navneet Khinda, Fahim Rahman, Dylan Hanwell, Virginia Brickley, and Beverly Eastham. If we could give them the warm traditional welcome of this Assembly.

The Speaker: Welcome.

The Minister of Infrastructure and Transportation.

Mr. Mason: Thank you very much. It's my pleasure to rise today and introduce to you and through you to all members of this Assembly members of the Canadian Institute of Steel Construction. They are Todd Collister of Supreme Steel, the bridge division; Paul Collins of Collins steel; Andy Boelee from Empire Iron Works; Jesse Kornelsen from Sierra manufacturing; Michael Hladun from Leder Steel; Jim Kanerva from Waiward Steel; Etienne Vachon from EZ-Steel; Gayle Holtz, Northern Weldarc; and Neil Kaarsemaker of the Canadian Institute of Steel Construction. Mr. Speaker, the Canadian Institute of Steel Construction promotes dialogue, collaboration, and commerce between industry and stakeholders, advancing the benefits of steel to the consulting community, builders, buyers, academia, and government. I would like to thank the institute and its members for working together with the government as we build quality infrastructure to meet the needs

of Albertans. I would now ask that our guests rise and receive the traditional warm welcome of this Assembly.

The Speaker: Welcome.

The Member for Calgary-Shaw.

Mr. Sucha: Thank you, Mr. Speaker. I'd like to recognize to you and through you to all members of the Assembly Gerry Turcotte, president and vice-chancellor of St. Mary's University in the beautiful riding of Calgary-Shaw. Gerry, who will be launching a book, *Small Things: Essays on Faith and Hope*, on April 14, joined STMU five years ago and, since becoming president, has led St. Mary's University to being one of the fastest growing universities in Alberta. He's accompanied by Debbie Osioy, St. Mary's vice-president of business and finance. I would ask that they please rise and receive the traditional warm welcome of the Assembly.

The Speaker: Welcome.

The hon. Member for Edmonton-Mill Creek.

Ms Woollard: Thank you, Mr. Speaker. Today I am very pleased to introduce to you and through you to all members of the Assembly Lorraine Woollard, a friend and cousin who, after retiring from a long teaching career, became part of a University of Alberta group that developed an internship program, the nonprofit board student internship, that lets students work with nonprofit community organizations. The students use the know-how gained to help other students find community-based learning opportunities and, along the way, grow as citizens. As Lorraine has said: anything we can do to open more doors to learning makes for a better society of fully engaged citizens. Lorraine, if you would stand, we would like to offer you the traditional warm welcome of this Assembly.

1:40

The Speaker: The hon. Member for Calgary-Elbow.

Mr. Clark: Thank you very much, Mr. Speaker. Today I'm honoured to rise and introduce to you and through you to members of the Assembly three experts in financial trading, including carbon markets: Andrew Hall, Claude Cyr, and Blair McDermid. Mr. McDermid and I grew up together, played hockey together. Mr. McDermid went on to represent our country on Canada's national volleyball team, and I ended up here. I think we know who wins that exchange. I'd ask the three of them, please, to rise and receive the traditional warm welcome of the Assembly.

The Speaker: Welcome.

Members' Statements

The Speaker: The Member for Spruce Grove-St. Albert.

Transition from Coal-fired Energy Production

Mr. Horne: Thank you, Mr. Speaker. I rise to share with you and the House some perspective from my constituency. Spruce Grove is rated as one of the best cities in Canada to raise a family, in no small part due to the hard work of our school board. However, many of my constituents are worried about the health of our children caused by air pollution from burning coal. It can affect the respiratory system, the heart, and the central nervous system. Medical research shows that these impacts on our health result in lost days of work, increased hospital visits, and chronic respiratory illness.

However, I do realize that these coal plants are a significant source of livelihood for many families in my constituency. That is

why I am proud of our government's transition plan to phase out coal emissions by 2030 to protect Alberta's consumers and taxpayers while supporting communities and workers and to ensure fairness to companies and investors.

Under the federal regulations several plants were already slated to close; however, there was no plan in place to support the affected communities through the transition. I am proud to say that this government is working with the affected communities, with indigenous people, industry, environmental groups, municipalities, and many other partners. This is the right plan for our province, and now is the right time to implement it. I am so glad that this transition will bring in heavy business opportunities in alternative energy.

I am proud to say that my constituency, especially in Spruce Grove, is already a pioneer and leader in alternative energy. For example, the neighbourhood of Greenbury is using wind turbines to power their street lights, and the city's new public works facility makes use of passive lighting, geothermal heating and cooling, and solar power to heat its water. These are just a few examples of Alberta's leadership with alternative energy.

In the long run I am happy to see how alternative energy will diversify Spruce Grove's economy. Alberta's ingenuity and entrepreneurship, that made Alberta, will continue to build our province.

The Speaker: Thank you, hon. member.

Emergency Medical Dispatch Services in Calgary

Mr. Panda: Mr. Speaker, three weeks ago I asked the minister why she would rob the people of Calgary and surrounding areas of their reliable, locally managed emergency medical services. I compared it to Edmonton's dispatch model, where code red events outnumbered Calgary's by over 2,000 per cent. I and a few other MLAs toured the facility and heard directly from the commander that Calgary has the best dispatch model in place. The government has promised time and again that AHS takeovers come with all sorts of benefits and successes. We can plainly see that it doesn't play out like that in reality.

Right now the city of Calgary's integrated dispatch model is internationally considered as best practice. In fact, it's the only dispatch model in Alberta to be an accredited emergency medical dispatch. Instead, this government would like to use subpar dispatch models. They would like to force the city to stop using the best practice in the world and risk the lives of people in and around Calgary.

If transitioned to the minister's suggested substandard model, response time could increase due to the additional call transfer. It would hamper integration with the Calgary fire department, who are often the first on the scene at a medical emergency, and complicates situations requiring a multi-agency response. It could result in confusion and potential loss of critical information as callers are required to repeat their details.

The city of Calgary strongly believes that EMS call evaluation and dispatch services should remain with the city, not AHS. They're willing to negotiate dispatch costs so that front-line workers . . .

The Speaker: Thank you, hon. member.

The Member for Calgary-North West.

LGBTQ Seniors

Ms Jansen: Thank you, Mr. Speaker. One of the most important roles that a government plays is to take care of our seniors, making sure that our parents, grandparents, and great-grandparents have the

support and respect they deserve. An often overlooked element of this area is making sure that LGBTQ seniors are able to live their lives openly, honestly, and without fear of discrimination. A sad trend that we're seeing is LGBTQ seniors feeling ostracized and struggling to find supports simply because of who they are and whom they love. Ensuring that support programs for our seniors are inclusive, supportive, and affirming is a must.

As a society we've made tremendous strides towards equality and acceptance, but I am saddened, Mr. Speaker, that there still exists elements of homophobia and transphobia in an area that is necessary for the safety and security of our seniors. No one should have to lie about who they are just to get the support and respect they need. No one should be made to feel shame about who they are. It is 2016 and any type of discrimination should not be tolerated in any form.

Mr. Speaker, getting this issue right is key. Yesterday we began a public conversation with Albertans when we launched Engage. We want and need the feedback of Albertans on this issue. What can we as legislators do better? How can we make sure all Albertans are treated with equality and respect from childhood to old age? Our caucus doesn't have all the answers. The Progressive Conservatives will walk the walk and make sure each voice that reaches us is listened to and what they say is treated with the respect they deserve.

The topic of this member's statement came from a concerned Albertan. We are glad she engaged us, and we look forward to more conversations like this one in the future.

The Speaker: The hon. Member for Peace River.

Northern Alberta Travel Issues

Ms Jabbour: Thank you, Mr. Speaker. I've spoken previously in this House about the resourcefulness and resilience of the people of my constituency of Peace River. Today I'd like to talk a little bit about the unique challenge we face, transportation and getting around. Everything we do in the north involves incredibly long distances, whether it's a 16-hour round trip to Edmonton for medical treatment or a four-hour drive to shop at the nearest Walmart. A woman in labour can face a 90-minute commute to the nearest hospital. We think nothing of driving 600 kilometres to enjoy a concert or an evening out. Every aspect of our lives involves hours of travel.

We have only two highways coming north, one east-west corridor that depends on a ferry in summer and an ice bridge in winter. Road conditions are always unpredictable and sometimes downright scary. First Nations communities are connected primarily by gravel road, with sections that can be impassable when it rains.

If you don't own a vehicle or hold a driver's licence, transportation challenges are even greater. At present we have just one daily bus through the region, and there are very few scheduled flights between Edmonton and Peace River or High Level and none within the constituency itself. Of course, flights are costly and out of the reach of most.

A related challenge is gasoline price. At any given time we pay on average 20 cents more per litre than the rest of the province. Not only does that impact our personal travel costs, but the increased costs of transporting goods and services are passed on to us in higher prices for everything.

We love the north, however, and as northerners we find ways to manage even during difficult economic times. I'm confident that our government is trying to understand the unique challenges we face in the north and is willing to listen to our concerns. I want my

constituents to know that I've been advocating tirelessly to ensure that these challenges will always be considered when legislation and regulations are being developed, and I will continue to speak up on their behalf.

Thank you, Mr. Speaker.

1:50

Oral Question Period

The Speaker: The Leader of Her Majesty's Official Opposition.

Interprovincial Trade

Mr. Jean: Wildrose believes that Alberta must continue to be a province that fosters free trade across Canada. It grows our economy, it creates jobs, and it saves consumers money. One study estimates that internal trade barriers in Canada cost the average household nearly \$7,500 per year. We know the NDP has a long history of ideologically opposing any free trade despite the obvious benefits it has for working Albertans. My question is simple. Will the Premier advocate for or against breaking down interprovincial trade barriers?

The Speaker: The Minister of Economic Development and Trade.

Mr. Bilous: Thank you very much, Mr. Speaker, and I'll thank the member for the question. As the minister responsible for trade I can tell this House that I've engaged in meetings with my counterparts across the country as we are in the midst of negotiating or renegotiating a new agreement on internal trade.

Mr. Jean: I'd like to congratulate Brad Wall and the conservative Saskatchewan Party for a convincing victory in their election last night. In fact, last May Premier Wall made a plea for Alberta to stay part of the New West Partnership, an agreement that benefits our economy and saves consumers money. By the end of next month with a change in government, we're hoping, Manitoba could be asking for membership. Will the Premier commit to working with Premiers Wall and Clark to expand partnership in the New West agreement to other provinces that may be interested in removing trade barriers that hurt our economies?

The Speaker: The Deputy Premier.

Ms Hoffman: Thank you very much, Mr. Speaker and to the member for the question. We certainly do congratulate Premier Wall on his win last night in Saskatchewan. It's been only 11 months since we won power here in Alberta, so the feeling is quite familiar, and we understand and share in that celebration.

Notwithstanding Mr. Wall's desire to have his family reunited in his home province, we welcome people from across the world, including 7,500 more people who came to Alberta just in the last quarter, and we continue to work with our partners, including other provincial leaders, right across Canada.

Mr. Jean: This Premier has been silent when it comes to the trans-Pacific partnership trade agreement even though we know it would increase access to new markets for all Albertans. They've been cagey on the New West Partnership even though it removes barriers for trade between provinces in Canada. Meanwhile this government is set to further reduce competitiveness for Alberta businesses with a \$3 billion, uncampaigned-for carbon tax. Why is the Premier creating barriers that prevent economic growth instead of working aggressively with provincial partners to tear down these barriers?

Ms Hoffman: Mr. Speaker, we are very proud of our climate leadership plan. We stood on stage with leaders from industry all

across Alberta who said that this is going to help us move forward in building the pipelines that we so desperately need, that members opposite should be advocating for instead of poking people in the eye on Twitter. That certainly isn't in the best interests of Albertans. We're going to continue to move forward on economic diversification, including our climate leadership plan, to make sure that we can sell our current products and diversify the economy, something I know they have no interest in doing, but Albertans do, and we're going to do it.

The Speaker: Second major question.

Energy Policies

Mr. Jean: Here in Alberta people are worried. Late yesterday Sanjel sold off its energy assets in North America while seeking protection from its creditors. But the NDP remains committed to an economic agenda that directly hits our oil and gas sector: a \$3 billion, uncampaigned-for carbon tax; much higher power bills for all Albertans; and higher business and personal taxes. While our neighbours to the west and the east are trying to attract business investment, the NDP is simply pushing it away. When will this Premier start standing up for our oil and gas sector instead of working against it?

The Speaker: The Deputy Premier.

Ms Hoffman: Thank you very much, Mr. Speaker. I have to say that the hysterical language that's coming from the other side of the aisle certainly isn't conducive to the work that we're doing to make sure that we continue to have jobs here in Alberta, diversifying the economy. We can't control the low price of oil, but we can get Albertans back to work by investing \$34 billion over the next five years in infrastructure projects. That certainly is not something that members in the party opposite have been advocating for unless it's in their own home riding. We're actually putting people back to work. We're making sure that we have opportunities to increase access to small and medium-sized business loans. ATB is . . .

The Speaker: Thank you, hon. minister.
First supplemental.

Mr. Jean: Thank you, Mr. Speaker. Yesterday the Premier accused Wildrose of spreading a campaign of intimidation and half-truths when it comes to the federal government's tanker ban. Well, here are some facts for the Premier. The Prime Minister, the Prime Minister, has instructed his minister to legislate the tanker ban, and as of February he has restated his opposition to Northern Gateway. That's a tanker ban. This pipeline could grow Canada's economy by \$300 billion. That's a lot of money. These are not half-truths or misinformation. These are the facts. Why won't this Premier even acknowledge them and stand up and fight for Albertans' interests?

Ms Hoffman: Certainly, the Leader of the Official Opposition continues his campaign of misinformation, half-truths. [interjections] I suggest that his research department do a little bit of reading and find out that there is no tanker ban in place, Mr. Speaker.

Having conversations with his cabinet, we're going to continue to make sure that everyone knows what our needs are. We're working full speed ahead on making sure that we have drama-free access to tidewater. As opposed to the member opposite who has nothing but wants to create more drama, we're actually working collaboratively with our partners in other provinces and the federal government, Mr. Speaker.

The Speaker: I'd just remind the loyal opposition to please keep the volume down.

Mr. Jean: We have a federal government that says no to tankers on the west coast. It puts up red tape and roadblocks on building new pipelines, all the while allowing foreign oil to supply Canada's east coast. The federal environment minister even said that the recent budget was a first step to halting the development of our energy industry. Why won't the Premier see these moves for what they are and stand against these direct attacks on Alberta's interests and stand up for Albertans?

Ms Hoffman: Mr. Speaker, we're absolutely standing up for Albertans. There is no tanker ban off the west coast of B.C. The tanker ban isn't stopping Northern Gateway from being built. There isn't a tanker ban. It's the 209 NEB conditions for approval that Enbridge needs to meet, and the company is certainly working through those conditions. We know that shaming our provincial counterparts in B.C. and other areas of the country certainly isn't helping to get pipelines built. We're working in partnership with the federal government and actually having face-to-face meetings as opposed to putting out aggressive and disrespectful tweets and misinformation.

The Speaker: The Member for Cypress-Medicine Hat.

Organ Transplantation

Mr. Barnes: The most recent data shows an alarming trend in this province. Life-saving organ transplant rates have plummeted over the last decade. In 2005 our health system provided 321 transplants. A decade later we are down to 290. During that time the rest of Canada saw much better results, with some provinces surpassing us as leader. Could the minister explain to Albertans why we performed fewer transplants despite a million more people and a 60 per cent spending increase?

Ms Hoffman: I have to say that this is more sloppy math and poor research from the Official Opposition, Mr. Speaker. They are being hysterical on something that we are certainly moving forward in a reasonable and balanced way. We're working to make sure that people know about the ability to sign up to be organ transplant donors. Whether they're live donors wanting to donate kidneys or partial livers or whether they suffer the unfortunate incident of a fatality at an early stage, their organs can certainly be put to use in saving up to five other lives. We're doing a positive information campaign, not more hysterical fearmongering and badmouthing.

The Speaker: Thank you, hon. minister.

Mr. Barnes: Mr. Speaker, this is life threatening, and the NDP's approach to health care seems to be as flawed as ever. New boards, new CEOs, but the same broken system. While they talk about spending more money on a wasteful Alberta health system monopoly, they can't say what results will be achieved. We already have the most expensive hospital system in Canada and cannot even be a leader in a critical area like transplants. Will the minister tell us how she intends to improve value for hard-earned tax dollars?

The Speaker: The Minister of Health.

Ms Hoffman: Thank you, Mr. Speaker. We certainly are a leader in a number of areas, including liver transplants, right here in Alberta. We're very proud of that. It's unfortunate that they're using misinformation and fearmongering because the point they're trying to make is an important one. We need to do a better job with organ

donation and transplant in Alberta for Albertans. I'm pleased to have met with the Canadian Transplant Association as well as Alberta Donates Life Coalition, and we are certainly making a number of positive moves in that direction. I've signed my organ donor card. I hope the members opposite have as well.

Mr. Barnes: Organ transplants are just the latest window into the failures of a broken system, for which Albertans are always paying the price. Despite having a system that only gets more expensive, we are now being outperformed nearly across the board. No matter how much we give it, this bureaucratic, inefficient centralized system cannot do something as essential as providing life-saving transplants. How will the minister ensure that the billions we spend on AHS actually go towards saving the lives and . . .

2:00

The Speaker: The Minister of Health.

Ms Hoffman: To all of the staff that are working in organ donation and transplant every day in Alberta I say thank you. They are doing life-saving work, Mr. Speaker. Almost 220,000 Albertans have already registered to be part of the organ donation registry, and we want that number to continue to grow. It's important that we have a single agency to co-ordinate organ and tissue donation, and we need to make sure that we move forward in an honest, reasonable, and balanced way rather than making inflammatory speculations and sloppy research. It just isn't becoming of this Chamber.

The Speaker: The leader of the third party.

Environmental Monitoring and Reporting

Mr. McIver: Today the environment minister announced that the Alberta Environmental Monitoring, Evaluation, and Reporting Agency, AEMERA, will move from an independent agency to one held within the confines of the ministry. To the environment minister: will the industry still be required to pay \$50 million per year for an independent agency that no longer exists as an independent agency?

The Speaker: The Minister of Environment and Parks.

Ms Phillips: Well, thank you, Mr. Speaker, and thank you to the hon. member for the question. As part of our broader review of agencies, boards, and commissions to find efficiency, our government conducted an independent review of AEMERA, where we found that it was a failed experiment in outsourcing a core responsibility of government to an arm's-length body. The financial arrangements remain the same. We are in the beginning stages of a new agreement with the federal government on the joint oil sands monitoring, and we will be investing the savings that we find back into front-line monitoring services.

Mr. McIver: Well, an answer, Mr. Speaker. I'm grateful for that. What we've learned here today is that the industry is still going to pay for something they're not getting. This is taxation without representation if ever I saw it. The question to the minister is: what will you name this new tax, and under what guise will you impose it?

Ms Phillips: Mr. Speaker, the hon. member, with all due respect, just has his facts simply wrong. There is an agreement on monitoring, that industry will pay for monitoring in the oil sands. That agreement continues, and they are grateful for the fact that we are ensuring that every single one of those dollars is being put to use properly and being reinvested back into front-line services

rather than the duplication, the administrative replication, and inefficiencies that the previous government built.

Mr. McIver: The only duplication I hear is the double-talk from the minister.

Today the environment minister took an external, independent committee and moved it under the minister's direct control, the same minister with a long, well-documented history of attacking the energy industry. To the Premier: who will monitor your minister?

Ms Phillips: Mr. Speaker, question period is for matters of government policy, not for personal attacks. It is not for drive-by character assassination. I will not answer the question.

Palliative Care

Mrs. Littlewood: Mr. Speaker, as a health care professional I have seen how Albertans' experiences with our health care system affect them personally at all stages of their lives, and in my experience with the Good Samaritan Society I also witnessed how conversations about certain life stages come more easily for some compared to others. Given that this government has been actively consulting on the immediate issue of physician-assisted dying, to the Associate Minister of Health: can we expect more long-term conversations on palliative care?

The Speaker: The hon. minister.

Ms Payne: Thank you, Mr. Speaker and to the member for the question. Absolutely, this government is committed to supporting a range of options for people facing decisions about end-of-life care. Palliative medicine is central to end-of-life care, and it will remain so even after June 6. As we move through our consultations, what we're hearing from Albertans is that they want a choice about how they are cared for and how they end their care and how their choices are respected as they make end-of-life decisions. During the break Minister Hoffman was able to visit hospice and palliative care facilities in Olds and Lethbridge, meeting with doctors, nurses, and other caregivers, who give so much of themselves.

The Speaker: Thank you, hon. minister.
First supplemental.

Mrs. Littlewood: Thank you, Mr. Speaker. Given how important these services are to Albertans, again to the Associate Minister of Health: what are you doing to ensure quality of access to palliative care across our diverse province?

Ms Payne: We have committed to expanding benefits available to caregivers through compassionate care leave in recognition that no one should go through this process alone. We also know that the need for palliative care is there regardless of location. Palliative care is currently offered in every health zone. We are looking to increase availability, especially outside of Edmonton and Calgary. We remain dedicated to ensuring people get the right care at the right time from the right professionals.

The Speaker: Second supplemental.

Mrs. Littlewood: Thank you, Mr. Speaker. Given how critical palliative care is to the overall health and well-being of Albertans, to the same associate minister: how can we make sure that it is not ignored in the run-up to legislation on physician-assisted dying?

Ms Payne: Thank you for the question. It is abundantly clear to me that Albertans need access to appropriate information to support a

range of choices for end-of-life care. We have included access to and discussion about palliative care and end-of-life options as part of our newly revised continuing care standards, and these conversations must happen among all of us regardless of age or health situation. I want to make sure that any choice about end-of-life care is well informed, well supported, and well enacted so that patients and their families can experience this process with the least amount of disruption and distress.

The Speaker: The Member for Livingstone-Macleod.

Municipal Grants in Place of Taxes

Mr. Stier: Thank you, Mr. Speaker. Yesterday the Minister of Seniors and Housing dodged around my questions addressing this government's cut to the grants in lieu of taxes program on social housing. Her response that new anticipated provincial infrastructure funding will adequately compensate any shortfalls is unfair and overlooks the individual needs of municipalities, many of whom have no capital projects in mind. How can the minister possibly justify her ineffective response when this government's system is delinquent, leaving municipalities who have individual specific shortfalls for property taxes remaining unpaid?

The Speaker: The minister of seniors.

Ms Sigurdson: Thank you, Mr. Speaker, and thank you to the member for the question. It's very important. Our government is proud of our relationship with municipalities and the investments we are making in our communities. The previous government made a decision to cut this funding, and we haven't been able to restore every cut the previous government has made. The Official Opposition can't have it both ways. They can't support reckless cuts and also stand in this House and ask for more.

Mr. Stier: Well, Mr. Speaker, really, I mean, we need it reinstated. Smaller communities will be hit hardest. St. Paul faces a revenue shortfall of \$50,000; Ponoka, \$11,000; Black Diamond, \$35,000; Elk Point, \$20,000; Boyle, \$13,000; Lacombe, \$75,000; Vilna, \$11,000; and Slave Lake, \$186,000; and I could go on. Given that many municipalities have had to cut services and raise property taxes as a result, why isn't this government prepared to fulfill their financial obligations to municipalities, not all of whom have an infrastructure project slated for this year?

The Speaker: Thank you.
The hon. minister.

Ms Sigurdson: Thank you, Mr. Speaker, and thank you again to the member for the question. With the unprecedented collapse in the global oil price, this means that we need to be fiscally responsible in our decision-making. Unfortunately, we're not in the position to approve every request for funding, but we do know that now is the time to invest in infrastructure like roads, bridges, and that's what we're doing. These investments will help keep Albertans working and support municipalities by getting shovels in the ground on important projects. It's not rocket science; you can't spend less and spend more at the same time.

The Speaker: Second supplemental.

Mr. Stier: Thank you again, Mr. Speaker. This time to the Premier. This entire infrastructure theory in place of taxes, that has just been mentioned, is faulty. Given that it doesn't correspond directly to the taxes owed from government-owned social housing facilities, what's next? Courthouses? Provincially owned land in our

municipalities and other provincial buildings? Maybe the province will stop paying its water bills. How many other key municipal funding systems will be harmed by this government trying to cover this faulty infrastructure-replaces-municipal-taxes theory?

Ms Hoffman: Thank you for the question. Mr. Speaker, certainly, municipalities have needs, and we're working to make sure that those get addressed in a variety of ways. I have to say that they're very appreciative of the fact that we are continuing to move forward with MSI, that we're continuing to move forward with infrastructure investment in their communities. I understand their frustration that we can't reverse every bad PC cut, but sometimes we need to take the resources we have and figure out how best to make them work. I'm really proud of the fact that we are supporting municipalities.

The Speaker: The Member for Calgary-South East.

2:10

Energy Policies (continued)

Mr. Fraser: Thank you, Mr. Speaker. Not all refineries are set up to process bitumen, and due to geopolitical factors beyond our control we're lucky that the U.S. Gulf coast has the capacity to take on large quantities of Alberta bitumen. We can't miss any opportunity to strengthen our partnerships with the U.S. Gulf coast, and it's crucial that new energy infrastructure such as pipelines is championed at all levels of government. To the Energy minister. When in Houston earlier this year, it's my hope that you advocated for increased energy infrastructure development. When asked the question, did you show support for the approval of Keystone XL, and if not, what did you actually advocate for?

Ms McCuaig-Boyd: Thank you for the question. Mr. Speaker, when I was in Houston, actually, I talked about all our pipelines with several groups. We talked about: what are the ones that have the most chance of being successful? I did talk about Keystone XL. Unfortunately, there's an election going on right now, and there are a lot of factors beyond our control, but I still advocate for pipelines east and west in Canada right now.

Mr. Fraser: Given the fact that the Gulf coast refineries were originally built to refine Venezuelan heavy oil and given the fact that the relationship may change between the U.S. and Venezuela to the point where the Gulf coast refineries actually accept Venezuelan crude, to the minister: would you agree that there needs to be a strategic, long-term vision for transporting bitumen to the Gulf coast, and if not, why not? Respectfully, Minister, do you understand the urgency to get our product to new markets?

Ms McCuaig-Boyd: Thank you for the question. Mr. Speaker, absolutely, I understand the importance of market access. With the American election currently going on, while Keystone is a possibility, it's not the best possibility right now. Going east, going west: I'm working on both right now with my government. We're advocates with industry to see how we can get the process through as smoothly as possible because it is critical. We need pipelines.

Mr. Fraser: Given that Alberta has an abundance of natural gas and that, in fact, it can be key to reducing our provincial emissions footprint both in electricity generation and in subsidies for new natural gas upgrading facilities and given that our natural gas exports to the U.S. have essentially stopped because of the Marcellus shale gas production in the U.S., Minister, will your government show leadership on energy efficiency and test the

feasibility of moving provincial government fleets from gasoline to natural gas?

Ms McCuaig-Boyd: Thank you for the question. You're absolutely right. Our number one customer was the U.S., and they're gone. They've got their own gas. Right now, you know, less than 1 per cent goes elsewhere, so we have to look at all kinds of possibilities. I think that with the climate change implementation plan, that will be one of the matters discussed. We also have to look at other markets or other uses such as in the petrochemical diversification plan. We have to take responsibility for making better use of our resources.

The Speaker: The hon. Member for Grande Prairie-Smoky.

Rural Health Services

Mr. Loewen: Thank you, Mr. Speaker. Last session I asked the minister about a procedural error by AHS that harmed Valleyview residents by losing a qualified doctor. Given that bureaucratic bungling like this is a result of the government's overly centralized health services, to the minister: what reassurances can you give worried rural families that centralization will not get in the way of their having local access to good doctors?

The Speaker: The Minister of Health.

Ms Hoffman: Thank you very much, Mr. Speaker, for the opportunity to talk about some of the engagement we've been doing throughout the province. Certainly, any time there's a break, I try to make sure that I'm out and connecting with front-line citizens throughout Alberta and people who are working in hospitals. For example, during the break I had the ability to be in Lac La Biche and announced to the community that we're investing \$3 million in making sure that we have dialysis in the hospital. It was very well received there.

Mr. Loewen: Considering that the minister received a letter outlining this problem in November and that I reminded her about it in December and that she finally responded in February this year – Wildrose believes in world-class health services, but I have to ask – to the minister: are the ongoing inefficiencies only within AHS, or are they systemic throughout your entire department?

Ms Hoffman: Certainly, Mr. Speaker, I have encouraged the hon. member to reach out to our office. I've taken opportunities to meet with many of his caucus members, and if he has a specific issue he'd like to address moving forward, I encourage him to take that direction or to work with his Official Opposition critic in doing so as well. I like to make myself very accessible. We believe in public health care, Mr. Speaker, and we're very proud of that.

Mr. Loewen: Considering that rural communities are rapidly losing health services at local hospitals and patients needing specialized procedures such as MRIs and CT scans are being sent to urban centres for these exams and given that these cities are often hours away and poorly linked to transport systems, to the minister: what is your department doing to ensure Alberta's vulnerable citizens are afforded reasonable access to the specialized health care they need?

The Speaker: The hon. minister.

Ms Hoffman: Thank you very much, Mr. Speaker. Certainly, there are a lot of efforts to make sure that we get the right care in the right place, and that isn't necessarily Edmonton or Calgary. We all want

to make sure that we have access to the right specialized equipment as close to home as possible, and I have to commend the health foundations throughout Alberta who take this as a local initiative. When they think that there's a need in the community, they're stepping up, they're rolling up the sleeves, they're working in collaboration with Alberta Health Services, and they're fundraising often to make sure that they get that equipment. This is happening all across our province, and we're going to continue to work with local leaders in local communities to make sure that we continue to have a great health care system across . . .

The Speaker: Thank you, hon. minister.

Provincial Cash Management

Mr. Fildebrandt: Mr. Speaker, the Auditor General found that Alberta Treasury Board and Finance does not have an integrated cash management system, that they rely on manual processes and Excel spreadsheets to manage their cash flow. Alberta is the only province in the country that does this. Can the Minister of Finance and Treasury Board explain the government's failure to resolve this problem, identified more than a decade ago?

The Speaker: The Minister of Finance.

Mr. Ceci: Thank you very much. In response to the question, this problem had been worked on by ministry officials back in 2014. Actually, in 2014 they identified it, and the AG also picked up on it at that time. The issues that they brought forward have been accepted by the ministry. We understand the issues, we are working on them, and in the future we will have a leading banking practice because of the work that's been done by ministry officials.

Mr. Fildebrandt: Given, Mr. Speaker, that we need something more specific – it looks like the Finance directors are having an interdepartmental turf war, trying to protect their own antiquated spreadsheet systems – and given that bureaucrats broke the Financial Administration Act by opening new bank accounts without your department's involvement, will the minister knock some heads together and bring in a cash management system that will save taxpayers money?

Mr. Ceci: Of course, it's critical that we have a cash management system that reduces the cost to the taxpayer, reduces the amount of borrowing, and handles cash in the best way possible. That is the work that's going to be done by officials. They'll be bringing that forward, and I understand that that will lead us towards a best practice banking system in this province.

Mr. Fildebrandt: Mr. Speaker, we're looking for a concrete commitment to follow the AG's recommendations. Bureaucrats identified this problem more than a decade ago, and those bureaucrats have requested a solution that has been sitting in limbo for two years now. Officials at Public Accounts Committee even told us just this morning that they have an office pool going as to how much cash will be left in the kitty at the end of the year. Will the minister end the departmental turf war and implement the common-sense, tax-saving solutions recommended by the Auditor General?

Mr. Ceci: I think it's already clear that the ministry and this minister have accepted the recommendations of the AG that were made after things were identified by people in the ministry. We're working on this, I'm working on this, and we'll be bringing the results forward shortly.

The Speaker: Calgary-North West.

LGBTQ Seniors

Ms Jansen: Thank you, Mr. Speaker. Yesterday we launched Engage, our plan to seek out feedback from Albertans. We've been getting a lot of feedback on what should be included in our document. [interjections] Yes, I'm talking about social issues. You can nap. One of these concerns was raised on the topic of LGBTQ seniors and the struggles they face. To the Minister of Housing and Seniors: what steps have you taken to make sure that the supports we have available to seniors are inclusive, compassionate, and understanding so that we can end all aspects of discrimination in our system?

2:20

The Speaker: The minister of seniors.

Ms Sigurdson: Well, thank you very much, Mr. Speaker, and thank you also to the member for the question. Of course, the seniors have built this province, and we care very much about making sure that they live in affordable, accessible housing that respects their dignity. We make sure that we are investing in facilities that have a billion dollars of deferred maintenance, unfortunately, because of choices the previous government made. I just want to assure this House that our government is very much investing in seniors and supporting them.

The Speaker: First supplemental.

Ms Jansen: Thank you, Mr. Speaker. Speak with anyone in this field and you will hear heartbreaking stories about people being forced to hide their sexual orientation and their identity in order to find a safe place to live. Again to the Minister of Seniors and Housing: given that no one should have to go back into the closet out of fear that they won't be able to find support or take care of themselves, are you prepared to follow up with concerns to make sure that these appalling situations don't happen again?

The Speaker: The Minister of Justice.

Ms Ganley: Thank you very much, Mr. Speaker and to the member for the important question. Well, of course, our government is committed to ensuring that LGBTQ people of all ages, right from school-age up to seniors, are protected. That's why we brought in amendments to the Human Rights Act recently, that's why the Minister of Education has been working so hard to ensure that all schools are implementing guidelines to protect children, and we will be working as well with the ministry of seniors to make sure that seniors who are LGBTQ are protected as well.

Thank you.

The Speaker: Second supplemental.

Ms Jansen: Thank you, Mr. Speaker. Again to the minister: given that we have seen a profound effect that support groups like GSAs and QSAs have had on improving the lives of our LGBTQ youth, will your ministry be prepared to work to develop similar support programs for LGBTQ seniors?

The Speaker: The hon. minister.

Ms Ganley: Thank you very much, Mr. Speaker and to the member for the important question. Well, of course, I think that our government is moving forward on a number of fronts on this issue. We're deeply committed to ensuring that all Albertans have their rights protected and that all Albertans have the right to be true to who they are. If there is a demand from the community for such

programs, we will certainly look at ways in which we can set those up and ways in which we can support them.

Thank you.

The Speaker: The hon. Member for Edmonton-Castle Downs.

Service Dogs

Ms Goehring: Thank you, Mr. Speaker. I have heard from my constituents, many of whom are men and women in uniform as well as veterans, about concerns regarding wait times for service dogs for persons impacted by posttraumatic stress disorder. Given the important role service dogs play in the lives of persons living with PTSD as well as those impacted by blindness, autism, epilepsy, and other mobility challenges, to the Minister of Human Services: what are you doing to address the high demand for service dogs?

The Speaker: The Minister of Human Services.

Mr. Sabir: Thank you, Mr. Speaker, and thank you to the member for the question. Our government has heard the concerns from veterans' advocates and from the disability community who have called for more service dogs to be available. The service dog qualification regulation expires in 2017, and prior to that expiry we will be exploring potential changes to the regulation to increase Albertans' access to qualified service dogs under the Service Dogs Act. We are committed to upholding the safety of persons requiring service dogs while ensuring . . .

The Speaker: Thank you, hon. minister.
First supplemental.

Ms Goehring: Thank you, Mr. Speaker, and thank you to the minister for the update. I'm sure the persons requiring service dogs will be encouraged that our government is taking this issue seriously. Given the ministry's approach can the minister elaborate on how service dog regulations keep Albertans safe?

The Speaker: The hon. minister.

Mr. Sabir: Thank you, Mr. Speaker. Given the important role service dogs play in the lives of those they serve, Alberta has a robust system in place to ensure a balance between service and safety. Service dogs that successfully complete a training program by an institution accredited by Assistance Dogs International have qualifications under the current regulations, and individual schools determine the type of training. There are nine accredited training institutes in Canada, only two of which are in Alberta.

The Speaker: Thank you, hon. minister.
Second supplemental.

Ms Goehring: Thank you, Mr. Speaker. Given that I have heard from some veterans who tell me that the regulations currently in place limit public access, again to the same minister: what is our government doing to ensure regulatory changes preserve Albertans' right to access public services?

The Speaker: The hon. minister.

Mr. Sabir: Thank you, Mr. Speaker, and thank you, Member, again. I want to assure the member and all Albertans that we will take a thoughtful and thorough approach as we explore potential changes to the service dog regulations. Qualified service dogs must meet high standards to protect the health and safety of the public. Under the existing regulation owners of qualified service dogs can

apply for a government identification card that can be shown when their right of access is questioned. As we explore changes, we will work to ensure that the need to uphold public safety is balanced with . . .

The Speaker: Thank you, hon. minister.

The Member for Rimbey-Rocky Mountain House-Sundre.

Tobacco Recovery Lawsuit Investigation Review

Mr. Nixon: Thank you, Mr. Speaker. Yesterday Justice Iacobucci released his report into Tobaccogate. Now, I hope that the current Ethics Commissioner will accept the justice's recommendation and reinvestigate this matter. It is obvious that many senior officials in the previous government went to great effort to be less than fulsome with the previous investigation. They didn't tell the whole truth and nothing but the truth, but that did not stop this government from promoting them. What does the Premier want to tell Albertans who might be concerned that officials who mislead an ethics investigation were promoted by her government?

The Speaker: The Minister of Justice.

Ms Ganley: Thank you very much, Mr. Speaker and to the member for the question. Well, of course, these allegations are deeply concerning to the government, and it is for that reason that we retained a former Supreme Court justice to provide us advice on how to proceed in this matter. That report has now been issued, and we are following the recommendations outlined in that report. The Ethics Commissioner has, I understand, reviewed the letter that I sent to her, and I believe she provided a response just before we came into the House here. The government will also be reviewing its response and any other steps that may be necessary.

Thank you.

Mr. Nixon: Mr. Speaker, given that this isn't the first time that officials who facilitated wrongdoing in the Redford administration were rewarded by this Premier – for example, the incoming Deputy Minister of Executive Council, the top bureaucrat in Alberta, built the sky palace and refused to come clean on how it happened – will the Premier explain to Albertans why her NDP MLAs ran interference for that deputy minister at the Public Accounts investigation of the sky palace? Why is this government covering for the wrongdoings of the previous government?

The Speaker: The Minister of Justice.

Ms Ganley: Thank you very much, Mr. Speaker and to the member for the question. Well, of course, the government is deeply concerned by any allegations of wrongdoings. When asked just yesterday about this matter and why it was that we had investigated it despite the fact that the former member involved is no longer with the government, I indicated – and I will indicate again in this House – that it is absolutely critical to us that this government be transparent and accountable to the public and that the public be able to have full confidence. That's why we have received the report, and that's why we're moving forward with the recommendations.

Thank you.

Mr. Nixon: Mr. Speaker, given that Justice Iacobucci made it clear that he did not have the investigative tools to look for criminal wrongdoings and given that the documents uncovered suggest that a minister, senior bureaucrats, and political staff may have conspired to rig what may be the largest government contract in Alberta history, will the Premier join the Wildrose in calling in the

RCMP so that we can clear the air, or will this government cover up the wrongdoings of the previous government?

The Speaker: The Minister of Justice.

Ms Ganley: Thank you very much, Mr. Speaker and to the member for the question. Well, of course, this government has no intention of covering up for the previous government. That is why we brought in former Supreme Court Justice Iacobucci to investigate this matter. He has made his recommendations, and we are proceeding on the basis of those recommendations. With respect to further steps that the government can take, we are still reviewing the report, and we will determine whether those wrongdoings are criminal wrongdoings. Not all wrongdoings are criminal wrongdoings, so we will determine whether that is . . .

The Speaker: Thank you, hon. minister.

Tourism Strategy

Dr. Starke: Well, Mr. Speaker, I want to begin by congratulating the new Minister of Culture and Tourism and joining with all Albertans that celebrate the significance of his recent appointment. I suspect that the minister would prefer to build a legacy not just on the ground that he's broken but on the future paths that he will tread. In that light, to the minister. Tourism industry stakeholders were dismayed when your predecessor's 2015 ministry business plan made no reference to the Alberta tourism framework, the first industry-led, multiyear tourism strategy ever developed in Canada. Will you commit to including it in your business plan for Budget 2016?

2:30

The Speaker: The hon. minister.

Miranda: Thank you, Mr. Speaker, and thanks to the member for the question. I have been briefed on a variety of issues. Like the member has stated, tourism showcases this province's vibrant communities and our unique destinations. Of course, there are many things that we can do. I will be taking all the information and making the best decisions going forward.

Thank you.

Dr. Starke: Mr. Speaker, the best information is in that strategy.

Given that Alberta's tourism levy was established in 2005 and given that it is the model that many other provinces have adopted for funding their tourism promotion efforts and given that the full amount generated was historically allocated to tourism promotion and given that this past fall's budget marked the first time that funds from the levy were siphoned off into general revenue, to the same minister: what conversations have you had with your colleague the Finance minister to end this parasitic and predatory practice?

The Speaker: The hon. minister.

Miranda: Thank you, Mr. Speaker, and thanks to the member for the question. Absolutely, we are going to support the industry. We're going to do the best that we can. But we also understand that we have to support the things that Albertans care about, health care and education. We're going to continue with that focus, and we're going to continue also promoting tourism in this province.

Thank you.

Dr. Starke: Well, Minister, if you want to fund health care and education, let me tell you something. Every tourism levy dollar that escapes the insatiable clutches of your colleague the Finance

minister and actually goes to promote tourism in this province gives the Alberta treasury some \$19 to pay for those essential services.

Will the Minister of Culture and Tourism tell this Assembly what the projected amount of the levy is for this fiscal year, and will he take the action proposed in our Engage document and commit to allocating the full amount of the levy to the promotion and marketing of our province as a . . .

The Speaker: Thank you, hon. member. I know you're a very veteran and experienced member of the House. I want to urge you, hon. member, to put your comments through the Speaker next time. I'm sure that it was an oversight on your part.

The hon. minister.

Miranda: Thank you, Mr. Speaker, and thanks to the member for the question. Of course, we're going to take all the information that we have and make decisions that are going to support the things that are important to the people of this province, health care and education. Those are the things that Albertans tell us are important. We also understand that tourism is an absolutely fantastic way to diversify this economy and to support the services that this government is going to support. Again, we will take the information and make the best decisions possible.

Thank you.

Wildfire Season Preparation

Mr. Westhead: Mr. Speaker, last year our province faced one of the most challenging wildfire seasons in its history. Communities in our forested areas saw the third-highest number of wildfires ever, with an area more than twice the size of the 25-year average being burned. The threat of forest fires is a constant concern for the residents of Banff-Cochrane. To the Minister of Agriculture and Forestry: what is this government doing to ensure that Alberta's forests and our forestry communities are being protected from the very serious threat of wildfires?

The Speaker: The Minister of Agriculture and Forestry.

Mr. Carlier: Thank you, Mr. Speaker and the Member for Banff-Cochrane for the question. Our government is committed to protecting people and property from the threat of wildfire. To properly prepare for this wildfire season, on February 16 I authorized the acceleration of preparation activities by moving the start of wildfire season to March 1. This helps our province prepare in two ways. First, it helps by monitoring burning activities so that we can manage and mitigate risk by requiring stakeholders to obtain a no-charge fire permit one month earlier in order for the department to proactively and co-operatively address burning projects. Second, it ensures that firefighting preparations and training are well under way and that we'll get into the middle of spring by facilitating early recruitment, retention, training, and mobilization.

Thank you.

The Speaker: First supplemental.

Mr. Westhead: Thank you, Mr. Speaker. Given that this has again been a very dry spring for most areas of our province and given that this year's fire season will likely be intense as well, to the same minister: what are you doing to prepare Alberta's forest communities for wildfire threats, to make them safer and more resilient in the face of these natural disasters?

Mr. Carlier: Mr. Speaker, our province has learned some very tough lessons about wildfires and the risks associated with them. An ounce of prevention is worth a pound of cure, a fact well known to Alberta's forest communities. One of the ways our government is helping to mitigate the risk of wildfire to Alberta's forest communities is by working to implement the recommendations coming out of the Flat Top Complex. More than this, my department is working hard with communities and property owners in Alberta's green areas to implement FireSmart initiatives such as vegetation management to remove fuel for wildfires to spread, improved interagency co-operation for better responses, and better emergency planning in the case of evacuations.

The Speaker: Thank you, hon. minister.
Second supplemental.

Mr. Westhead: Thank you, Mr. Speaker. Given that your department estimates that half of last year's fires were human-caused and given that your department spent over half a billion dollars fighting wildfires last year, what are you and your department doing to stop or minimize human-induced behaviours that lead to wildfires, that threaten communities like those in Banff-Cochrane?

The Speaker: The hon. minister.

Mr. Carlier: Thank you, Mr. Speaker. There are many things that we can do to minimize human-induced activities. For example, I've taken the opportunity to order a review of the Forest and Prairie Protection Act and regulations, parts I and II. Public engagement is a key step in the amendment and reform of legislation. We're asking Albertans if fines for burning fires without due care should be increased. We're also asking Albertans if they think the rules on debris disposal need to be changed to better protect our forests.

Additionally, we also support fire chiefs' and municipalities' efforts to provide information on active fire bans in the province. I encourage everyone to visit albertafirebans.ca

The Speaker: Thank you, hon. minister.
The Member for Bonnyville-Cold Lake.

Maintenance Enforcement Program Privacy Review

Mr. Cyr: Thank you, Mr. Speaker. Yesterday the Ministry of Justice reported a breach of as many as 60 highly sensitive files. The Justice department didn't even know its employee was snooping in personal records until the Edmonton Police Service discovered it in an unrelated investigation. To the Minister of Justice: are there currently protections in place to prevent breaches like this? If not, why not?

The Speaker: The Minister of Justice.

Ms Ganley: Thank you, Mr. Speaker and to the member for the question. Well, of course, I was extremely disappointed to learn that an employee of the maintenance enforcement program had been involved in these alleged activities. Currently the maintenance enforcement database is accessible only by log-in, so we're able to track where our employees touch. All employees are subject to a criminal record check. Obviously, as a result of this incident, we will be reviewing what policies and procedures we have in place to make sure that we can do better in the future.

The Speaker: First supplemental.

Mr. Cyr: Thank you, Mr. Speaker. Given that these breached files may contain highly sensitive information, including Albertans' banking records, addresses, and social insurance numbers, and given that the information pertains directly to families navigating the justice system, are single parents now at risk of fraud due to the actions of a Justice department employee?

The Speaker: The hon. minister.

Ms Ganley: Thank you very much, Mr. Speaker and to the member for the question. Well, of course, the reason that we were so disappointed to learn of this particular incident was because this employee did have access to information of vulnerable Albertans and Albertans who are subject to the justice system. We have begun reviewing our files. Edmonton police are contacting all affected people. The most important thing, I think, to note is that the employee in question no longer has access to this database or any information on file.

The Speaker: Second supplemental.

Mr. Cyr: Thank you, Mr. Speaker. Given that this department is clearly vulnerable to privacy breaches and given that this breach could be just the tip of the iceberg and that the Department of Justice seems unable to live up to the standards of Alberta's privacy laws, again to the minister. Yes or no: is the minister looking for any further breaches of privacy that may have gone unnoticed in her department?

Ms Ganley: Thank you very much, Mr. Speaker and to the member for the question. Well, we're always deeply concerned with the privacy of Albertans, so we are always looking to ensure that no further privacy breaches occur.

Thank you.

The Speaker: Hon. members, in 30 seconds we will continue with Members' Statements.

Dr. Starke: Mr. Speaker, point of order.

2:40

The Speaker: Yes.

Point of Order

Oral Question Period Practices

Dr. Starke: Mr. Speaker, just as a matter of procedure and a matter of past practice in the House, typically right around that 50-minute mark, which is sort of that magic time period, if the questioner starts his first question or is recognized by the chair any time before that 50-minute mark, that full question, whatever question number it is, is allowed to start, and then we finish all three series of questions. Since, clearly, we were a good 20 seconds short of the 50-minute mark, I would encourage you to move on to the next questioner.

The Speaker: Your encouragement is very much appreciated. I believe that most of the House and, certainly, the table officers agree with you. It was an attempt to move the process along. It was closer to 10 seconds.

Nonetheless, the next question: I believe we are at Grande Prairie-Wapiti. Is that right?

Infrastructure Capital Funding

Mr. Drysdale: Thank you, Mr. Speaker. Alberta industry is asking for government co-operation to allow them to fund and build

infrastructure to support economic diversification. One major push by industry has been for a toll bridge on highway 15 over the North Saskatchewan River that would allow for a wide heavy-load corridor, which would improve efficiency and safety on roads in the area. Enabling industry to build a new toll bridge would create hundreds of jobs for Albertans at a time when we need them the most and when material costs are low. To the Minister of Transportation: when will this government release a plan to co-operate with industry to build . . .

The Speaker: Thank you, hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. Well, the position of the government is that toll roads are not on our agenda.

But I should point out that in the Progressive Conservative's document they call for a restoration of funding of the strategic transportation infrastructure program, or STIP, which they cut three years ago, and we reinstated \$100 million for that over five years in the last budget. Mr. Speaker, if they want to engage, they should engage by reading the budget.

Mr. Drysdale: Mr. Speaker, given that capital bonds enable community members to vote with their wallets to get local infrastructure built and given that larger projects attract more attention and money and given that community members can invest directly in their future to get results sooner and earn a financial return on investment which remains in Alberta, to the Minister of Transportation: why has his government not chosen to allow Albertans to invest to build our infrastructure but, instead, has chosen to issue \$2.1 billion in bonds with international investors between January 1 . . .

The Speaker: Thank you, hon. member.

Mr. Mason: Mr. Speaker, thank you very much for the question. Our government increased infrastructure spending in the capital plan during the last budget by 15 per cent over the previous government's amount, and that is going into a number of programs that will support transportation, municipal infrastructure, or transit across the province. This government is doing far more to invest in infrastructure, badly needed in this province after years of Conservative mismanagement.

Mr. Drysdale: Mr. Speaker, it's too bad they haven't announced one new project since they've been there a year.

Given that Alberta has successfully spent billions on infrastructure and ring roads and the largest multiple school build in history using P3s, which have proven to be reliable long-term models for infrastructure building, and given that ministers opposite have admitted that on school builds alone P3s will be able to deliver schools hundreds of millions of dollars under budget while being profitable to investors, when will this government enable Albertans to finance . . .

The Speaker: Thank you, hon. member.

Mr. Mason: Mr. Speaker, well, I can name one single project that this government has approved that the previous government tried to cancel, and that is the Calgary cancer centre, a major project to provide good cancer care, badly needed by the people of Alberta after being jerked around by the Progressive Conservative government for 10 years.

The Speaker: Hon. members, might I say now that in 15 seconds we shall continue with Members' Statements.

Members' Statements

(continued)

The Speaker: The hon. Member for Red Deer-North.

Safe Harbour Society

Mrs. Schreiner: Thank you, Mr. Speaker. It is a great honour to introduce to you and through you to all members of the House a unique organization in my constituency of Red Deer-North called the Safe Harbour society. The Harbour, as it is warmly known, is a prime example of the importance of centralized wraparound services gauged to attend to the complex needs of Red Deer's most vulnerable population.

The Safe Harbor society is a result of an amalgamation of three previous nonprofit agencies and currently operates addiction services, transitional housing, and an emergency shelter. This combination of services allows guests to have access to supports along the health and housing continuum while only telling their story once. Executive director Captain Kath Hoffman and director of operations First Mate Trish Haggarty-Roberts are the proud leaders at the Harbour's helm. They recognize the efficiency of an integrated approach to providing services for a rising number of vulnerable central Albertans.

The Harbour recognized long ago that it is difficult to address addiction issues when basic needs for food and shelter are not met. The continuum of health and housing supports offered by the Harbour addresses the relationship between addiction and homelessness in a collaborative and dynamic approach. Indigenous supports offered by Safe Harbour recognize the diversity of our vulnerable population and acknowledge the links between suffering and disconnection from one's family and culture.

I am proud that such a unique organization exists and belongs to my riding of Red Deer-North. Thank you, Mr. Speaker.

The Speaker: The Member for Lac La Biche-St. Paul-Two Hills.

Megan Wolitski

Mr. Hanson: Thank you, Mr. Speaker. In honour and loving memory of 11-year-old Megan Wolitski I would like to remind this Assembly of a horrific accident that took place in my riding on October 25, 2012. That day, as children in a grade 6 classroom at l'école Racette had barely settled into their desks, a vehicle came barreling through the wall of the school into their classroom, pinning three children underneath and traumatizing the rest of the classroom and the entire community. The following day Megan Wolitski passed away from her injuries. One of her classmates was left with a lifelong debilitating injury, and another suffered trauma that she will struggle with for years to come.

The sad fact is that the accident was completely avoidable. The driver of the vehicle had a medical condition and wasn't supposed to be behind the wheel. When a judge sentenced the driver to two years in prison and a lifetime driving ban for criminal negligence, he made it clear that it was not punishment for the medical condition but for driving when he shouldn't have been. His punishment won't protect other Albertans from those who drive despite having medical conditions that make it unsafe.

Megan's grandmother asked me to see to it that Alberta enacts legislation to protect all Albertans from her granddaughter's fate, legislation similar to what is already in place under section 283 of the Saskatchewan Traffic Safety Act and section 230 of the British Columbia Motor Vehicle Act. Both of these provinces require qualified medical practitioners to flag for authorities any patients suffering from medical conditions that make it dangerous to the

public for them to operate a vehicle. They also require them to tell authorities if they have reason to believe that a patient continues to drive after being warned that it would be dangerous to the public and to themselves. Mr. Speaker, current voluntary provisions in the Alberta Traffic Safety Act need to be made mandatory so that our roads are safer and no more Alberta families suffer from this gap in our laws on traffic safety.

My heart goes out to the family of Megan Wolitski, to all of her classmates, who will never be able to forget that day that changed their lives forever. Thank you.

2:50

Tabling Returns and Reports

The Speaker: The Member for Drayton Valley-Devon.

Mr. Smith: Thank you, Mr. Speaker. I rise in the House today to table this document and the requisite number of copies signed by approximately 11,000 Albertans in support of Bill 201, the Election Recall Act. While Bill 201 was defeated in this House yesterday, democracy has a way of continuing to evolve and progress, and these 11,000 Albertans will now be on record as supporting a vision of a more democratic Legislature.

Tablings to the Clerk

The Clerk: I wish to advise the Assembly that the following documents were deposited with the office of the Clerk. On behalf of the hon. Ms Phillips, Minister of Environment and Parks and minister responsible for the climate change office, responses to questions raised by Dr. Swann, hon. Member for Calgary-Mountain View; Dr. Starke, hon. Member for Vermilion-Lloydminster; and Mr. Loewen, hon. Member for Grande Prairie-Smoky, on November 18, 2015, during the Ministry of Environment and Parks 2015-16 main estimates debate.

On behalf of the hon. Ms Gray, Minister of Labour and minister responsible for democratic renewal, pursuant to the Government Organization Act the Alberta Association for Safety Partnerships' Radiation Health Administration Organization annual report for the period September 1, 2014, to August 31, 2015, with attached financial statements for the year ended August 31, 2015; the Alberta College and Association of Chiropractors' Radiation Health Administrative Organization annual report for the year ended June 30, 2015, with attached financial statements for the year ended June 30, 2015; the Alberta Dental Association and College's 2014 Radiation Health and Safety Program annual report dated January 1, 2014, to December 31, 2014, with attached financial statements dated December 31, 2014; the Alberta Veterinary Medical Association's Radiation Protection Program 2014 annual report, November 1, 2013, to October 31, 2014, with attached financial statements dated December 8, 2014; the College of Physicians & Surgeons of Alberta's Radiation Health Administrative Organization annual report for the period January 1, 2014, to December 31, 2014, with attached statement of financial position for the year ended December 31, 2014; the University of Alberta's Authorized Radiation Health Administration Organization annual report 2014-2015; the University of Calgary's Radiation Health Administration Organization annual report for the period April 1, 2014, to March 31, 2015.

The Speaker: I believe that members may have missed my eye earlier. Banff-Cochrane, we could go back to Tabling Returns and Reports. Is that your intention? We need unanimous consent to do that.

[Unanimous consent granted]

Tabling Returns and Reports

(continued)

Mr. Westhead: Mr. Speaker, I rise to table the appropriate number of copies of a document outlining the support that ATB is providing to Albertans during this economic downturn. The document outlines that ATB is helping business owners as a result of the \$1.5 billion expansion that our government recently provided.

The Speaker: Next tabling. The hon. Member for Calgary-Lougheed.

Mr. Rodney: Thank you very much, Mr. Speaker. I've been looking forward to this opportunity to table the five requisite copies of the document *Engage: Connecting with Albertans*. It's something that the government side has asked for. So has the Wildrose, and others have. Albertans are very excited about this, as are we. On behalf of Progressive Conservatives I simply turn to page 3 for one sentence to explain. "Engage is intended to start a conversation with Albertans to build a better future for our province. It is our intent that through conversation, we will encourage Albertans to get involved, and identify new ways of doing things." You can get one of these copies or go to abpcmla.ca/engage.

It has also been the request of a couple of members on both sides of the House for examples of cost savings. Again, this was ready more than 24 hours ago on behalf of Progressive Conservatives in *Engage: Connecting with Albertans*. They wondered how we would come up with all these savings. Again one sentence: "These four examples alone total savings of over \$1.5 billion. We are confident that the Alberta Public Service can find even more."

Thank you, Mr. Speaker. I appreciate it.

The Speaker: The hon. minister of environment.

Ms Phillips: Yes. Thank you, Mr. Speaker. I rise to table the requisite number of copies of an article written in the *New York Times* recently, appearing on March 20, that indicates that JPMorgan Chase

would no longer finance new coal-fired power plants in the United States or other wealthy nations. The retreat follows similar announcements by Bank of America, Citigroup, and Morgan Stanley that they are, [in fact] in one way or another, backing away from coal.

Thank you.

Orders of the Day

Government Bills and Orders

Second Reading

Bill 4

An Act to Implement a Supreme Court Ruling Governing Essential Services

[Adjourned debate March 17: Mr. Westhead]

The Speaker: The hon. Member for Banff-Cochrane.

Mr. Westhead: Thank you, Mr. Speaker. I yield the rest of my time.

The Speaker: The hon. Member for Stony Plain.

Ms Babcock: Thank you, Mr. Speaker. Bill 4, An Act to Implement a Supreme Court Ruling Governing Essential Services: this is important essential services legislation. It will modernize Alberta's labour laws as the current legislation is almost 30 years old, and it will bring legislation in Alberta in line with the Supreme Court of

Canada ruling regarding essential services legislation in Saskatchewan stating that the right to strike is a fundamental right and integral to the bargaining process. It's needed because bans on public-sector strikes within the Public Service Employee Relations Act and the Labour Relations Code are unconstitutional and violate the Canadian Charter of Rights and Freedoms.

Compulsory arbitration, which is provided within the legislation in place, is not sufficient to encourage employers, government, and unions to work together within a meaningful collective bargaining process. This legislation will revert responsibility for reaching a settlement to employers and unions, and this will minimize the use of compulsory arbitration. It must be a meaningful bargaining process, not each side attempting to force others or interfering with the rights of public-sector employees or employers.

An Act to Implement a Supreme Court Ruling Governing Essential Services has been arrived at through extensive consultation with Alberta public-sector employers and unions to ensure an effective, made-in-Alberta approach that is fair to employers, unions, and the people of Alberta. This consultation began in September of 2015 between those employers and unions, and the public was also invited to provide input by way of an online survey. In this way, even in the event of labour disputes or strike action the people of Alberta are ensured continued access to essential services through this legislation.

3:00

Creating an essential services agreement, which determines which services must be maintained during a work stoppage: it must be written between an employer and a union before any negotiations can take place for new contracts. In this way if there is a labour dispute, which has been ruled a fundamental right by the Supreme Court of Canada, our people in our communities are always taken care of. Albertans deserve the best health care, with the right provider at the right time in the right place. This legislation will help ensure that this priority will remain at the forefront for all Albertans.

The Alberta Union of Provincial Employees president, Guy Smith, said that the legislation is a fundamental shift toward levelling the playing field in labour negotiations, which is sorely needed. As a unionized employee and a union shop steward I have sat at the bargaining table. Though it is expected for both parties to arrive at the table in good faith, if things go awry when there is not an equal balance of power, it makes fair negotiation unlikely. By supporting all parties at the bargaining table, an agreement that is equitable for the employer, worker, and public is more likely to occur. For a nurse and a caregiver the entire focus is on your patients and how to care for them in the best way possible. This legislation allows skilled, competent employees to continue those essential day-to-day operations if a labour dispute is in progress.

For many of these essential services providers, the work hours encompass the entire 24 hours in a day. This means shift work, and being on call is a normal practice. I understand the toll it takes on your family to work a split shift, a night shift, the demands on my partner to ensure that the obligations of our family were always met.

To support the work of this government in creating an equal and fair bargaining process supports all of our most important front-line service industries and their workers. Labour negotiations go beyond compensation. Many times that is the least contentious hurdle. Hours of work, working conditions, health benefits: these and many other things are also major factors to be negotiated at the bargaining table.

These negotiations affect more than just employees; they affect families. Many times here in Alberta the stable income provided by working in a front-line service is the sole income in a household, or

it supplements an income affected by the boom-and-bust economy that many Albertan families face. How are we to impress upon the next generation that these careers are valued by our communities if the compensation to perform these oftentimes dangerous or demanding tasks is diminished by an unfair bargaining process? The people that choose to perform these roles are in service to their communities, and the contributions they make go beyond their salary to the true meaning of community. An investment in our front-line service is an investment in those communities.

People employed in critical service areas such as police officers and municipal firefighters will continue to be prevented from striking due to the integral services they provide our communities. This legislation doesn't apply to teachers within Alberta either as they already have the right to strike within their bargaining agreements. It will only affect government employees; those employed by agencies, boards, and commissions; nonacademic staff at postsecondary institutions; employees of AHS; and employees at other approved hospitals.

I urge everyone in this House to support this bill for our families and our communities, that support us every day.

Thank you.

The Speaker: Thank you, hon. member.

Are there any questions or observations under 29(2)(a)?

Seeing and hearing none, I would call on the Member for Calgary-South East.

Mr. Fraser: Thank you, Mr. Speaker. It's an honour to stand in this House and speak to this bill. The intent of the bill: I absolutely do support it. It's encouraging, and we've heard from the hon. member that respect is important in the workplace. Being an advanced care paramedic for over a decade, working for Alberta Health Services in the city of Calgary, being the president of CUPE 3421, president of the Calgary paramedics, I've also sat at the table. You know, I encourage the government on this bill, absolutely, and, again, those departments and agencies to collaborate because it is time that there is a paradigm shift in terms of government and public service, how they negotiate, and creating a new path forward.

To speak to the critical services, I hope that as we move forward in further readings and into Committee of the Whole, the government would perhaps take a look at one thing. One issue that I have with this, again, being a paramedic – you referenced police officers and firefighters. Paramedics work alongside that very group, and I know, listening to the stories of the strike in 1990, that if you ask any physician, any nurse, most of the collaborative health care, who do amazing work, they say: "Bring the paramedics back. They're crucial. They're vital." I can attest to that. They're one arm of that collaborative practice front that makes, I think, our health services one of the best because of the quality people and the skills that they have. So to take that front-line service off the street, I think, is a danger to Albertans.

I think it also, unfortunately, messages to that group, with the day-to-day work that they do – again, still a registered paramedic in this province, I am. It seems to diminish their role. They have one foot in public safety, and they have one foot in health care. I know that in discussions with the hon. Health minister there is a role to expand the practice of paramedics to work in the community to help fix some of those things. I go back to what we launched in Engage, just for a minute: if people would take the politics out of it, take the hyperbole out of it, and listen to that one particular cost savings when it comes to health care.

We heard that there's only 10 per cent of what's going to the emergency department – and my friends in allied health care know that, that there's a lot of people that make it to the emergency

department that don't need to be there. Paramedics can play a vital role, and I know the minister is working on this, and I applaud your government and the work that she's doing around this, around more collaborative practice, allowing nurses, advanced care, critical care paramedics, even basic life-support paramedics, our EMTs, you know, to do the work they were intended to do, to do the work they were trained to do, which will create alternate destinations. We're talking about saving billions of dollars, creating efficiencies, and paramedics and emergency medical services will have a crucial role in that, being a lot of the time the first door, the first window for many people to enter our health care system.

I hope, looking forward as you discuss in your caucus, that paramedics will be included as part of that group with police and firemen as an essential service because I would hate to see – one of the odd things, too, is that we know that there's the direct delivery that Alberta Health Services provides, so the city of Edmonton, Edmonton metro and Calgary metro EMS services. What's odd is that they would be allowed to strike under this law, but a private operator that owns a private ambulance service is considered essential. The messages are mixed there, so my hope is that you'd take a look at it, include paramedics and emergency medical services under that line. In fact, I think my colleague from the Liberal Party would probably agree as we have many friends on that front-line staff.

Thank you for your time, and I hope that we can work on that.

The Speaker: Are there any questions to the hon. member under 29(2)(a)?

Dr. Swann: I wonder if the hon. member could expand on the distinction between the public and the private ambulance services and what he's, I think, alluding to in terms of their capacity to strike. That's news to me.

The Speaker: The hon. member.

Mr. Fraser: Yeah. The private care is a contract that goes through Alberta Health Services, so it's an outside contract. Then there's direct delivery, directly owned and operated and managed by Alberta Health Services. That's what we call direct delivery. That's the majority in the province, but there are private operators. Again, maybe it's worded in the legislation – and I may have to correct myself – that anybody who's contracted to do a service falls under this legislation as an essential service. That's what I'm guessing. But those seem to be the highlighted pieces from the members on the street and some of our dear colleagues and friends that you know. You know, there just seems to be a mismatch there in terms of: why are paramedics in direct delivery not considered essential, and why are private contractors considered essential?

3:10

The Speaker: Any other question for the hon. member under 29(2)(a)?

Hearing none, I would recognize the Member for Edmonton-Ellerslie.

Loyola: Thank you, Mr. Speaker. It's a pleasure to rise today and speak to Bill 4, An Act to Implement a Supreme Court Ruling Governing Essential Services. As has been stated, this bill will modernize two key Alberta labour laws to reflect rulings by the Supreme Court of Canada and the Court of Queen's Bench of Alberta.

The courts have been clear. It's every Canadian's right to join a union and, not only that, also to collectively bargain, which includes that right to strike. Now, I stress this because, as many of the

members from my own caucus may know – and I'll remind the other members of the other parties – I used to be the president of the Non-Academic Staff Association at the University of Alberta. Under PSERA we were told that we could not strike. This kind of put things in a difficult spot for us because it was already like the system was purposely set up so that it would be an antagonistic relationship between the union, the staff at the University of Alberta; and the employer, the University of Alberta. Bill 4 will ensure that labour legislation is fair to unionized employees and employers while ensuring essential public services are maintained for all Albertans.

I'm really proud that this is a made-in-Alberta solution that addresses our province's unique needs. It's important for all of us to consider that Alberta's public-sector labour legislation is almost 30 years old and needs to be modernized to protect public-sector employees' Charter rights. Public-sector groups have been forbidden from striking since the 1970s in Alberta, which has pushed the parties into arbitration to reach settlements. The legislation covers about 150,000 unionized workers under 77 collective agreements, including most health workers, government employees, and nonacademic staff at postsecondary institutions.

A move to an essential services model for key components of Alberta's public sector would serve to bring Alberta's labour relations legislation more in line with the Supreme Court's position on the right to strike. The proposed legislation, Bill 4, was carefully developed based on government's extensive consultation with Alberta's public-sector employers and unions regarding an essential services approach.

I want to stress that because, you know, often our friends from the opposition say that we don't consult or we don't consult extensively enough, but here's a perfect example of how we have. We are listening, and we have been doing our homework and making sure that we're hearing the opinions of the people that we are here to legislate on behalf of. Beginning on September 16, 2015, the government started consultations on essential services legislation. Face-to-face meetings were held with key stakeholders, and the public was invited to provide input in an online survey as well. The well-respected labour lawyer Andrew Sims, Queen's Counsel, was contracted to lead the consultations and provide a report with advice to the government.

In fact, this legislation places greater responsibility for reaching a settlement in the hands of employers and unions, minimizing the use of compulsory arbitration. I couldn't agree more with the member from the Conservative Party across who stressed collaboration. I couldn't agree more. It's completely time for a paradigm shift. We need to move away from this antagonistic model that we currently have and work towards finding solutions together. I would say to our friends across the way, the opposition, that this is truly the relationship that we'd like to have with you. Let's work together to find solutions, right? Unfortunately, to date I don't think we've had that opportunity with what's coming from across the way, which to me is more rhetoric than fact.

Determining what essential services will be maintained during work stoppages will be decided by public-sector employers and unions by working together. If they can't reach an agreement, a neutral third party will resolve the dispute quickly and efficiently.

So it is without reservation that I support this bill, and I strongly suggest to all the members of this House that they support it as well. Thank you, Mr. Speaker.

The Speaker: Are there any questions or comments for the Member for Edmonton-Ellerslie under 29(2)(a)? I would recognize the minister of environment.

Ms Phillips: Thank you, Mr. Speaker. I'm wondering if the hon. member could share with us some of the steps in collective bargaining. Given that the SFL case was decided by the Supreme Court on the basic right to free association and therefore of collective bargaining, could the member talk a little bit about how collective bargaining is, in fact, impaired when there is no right-to-strike provision?

Loyola: Thank you to the minister for the question. Really, I'd like to highlight this by sharing a little anecdote. Under the previous government they had gone to the University of Alberta and basically were pressuring the University of Alberta because they were cutting funding to postsecondary education. The University of Alberta, our employer when I was still under the Non-Academic Staff Association, found itself in the peculiar predicament where it actually even had to ask us to open our own collective agreement.

Now, at the time – and this just goes to show how important I believe democracy is – being president, for me what was most important was that we go to the membership of the union and ask them if we should open up our collective agreement or not. I'm proud of the fact that out of the more than 5,000 members of the Non-Academic Staff Association more than 630 members showed up at a lunchtime meeting to have this discussion about opening up our collective agreement or not. It was at that meeting, after presenting the case of how the previous government was really locking the hands of the University of Alberta administration because the underfunding to postsecondary education was causing this question to even be answered – but what was really important is that of the members of the union that showed up to that meeting, more than 600, 639 voted to not open the collective agreement, and two members voted to open it. Just to show that that's the way the democratic process works inside of a union.

When we go to the collective bargaining process, it's so important to have the voice of the union membership be a part of that process. To me, unions are a perfect example of the democratic principles that we should try to further within our own society. Have the members themselves, have the citizens themselves be a part of the process. This is what has happened with the consultation process. Stakeholders, employers as well as employees have been consulted on the process.

Again, to all the members of this House: I highly encourage you to vote in favour of this bill. Thank you.

The Speaker: Under 29(2)(a), the Opposition House Leader.

Mr. Cooper: Thank you, Mr. Speaker. A brief question on Bill 4, An Act to Implement a Supreme Court Ruling Governing Essential Services. I'm just curious to know if the member would provide any comments on whether or not there are any portions of the legislation that are outside of the scope of the Supreme Court ruling.

3:20

Loyola: To be quite honest, I am not one hundred per cent sure, but I will reread the bill, and I'll get back to you personally, Opposition House Leader.

The Speaker: Any other questions or comments under 29(2)(a)?

Hearing none, I would recognize the Member for Strathmore-Brooks.

Mr. Fildebrandt: Thank you, Mr. Speaker. I rise to speak to Bill 4, An Act to Implement a Supreme Court Ruling Governing Essential Services. If this bill is just to implement a Supreme Court ruling governing essential services, then I will support it. I am cautiously optimistic about the bill. However, in labour relations

the proof is in the pudding. Any decision on what constitutes an essential service needs to be reviewed carefully to ensure that those in essential services are treated fairly but also that vital provincial responsibilities that we are obligated to provide are carried out, and as with any bill concerning government negotiations with the public sector, we need to ensure that it also respects taxpayers.

As with any important piece of legislation, our discussions with stakeholders and constituents as well as analysis and debate in the Assembly will inform the position of this caucus. We have already identified some points in this bill that I am seeking clarity on. These include ensuring that key officials in charge of the process to certify essential services are Albertans with an understanding of our situation and circumstances and ensuring that the restriction on replacement workers is negotiated, not legislated, on a case-by-case basis. It is my hope that we can work with the government to pass reasoned, measured, and thoughtful amendments, should they be necessary, to ensure a fair process for all Albertans impacted by this legislation.

The Wildrose Official Opposition understands the importance of meeting the requirements of the Supreme Court ruling by the required date. On principle we support the notion of ensuring that nonessential workers are not lumped in with essential ones, but we look forward to hearing the government's response to our several questions on the details of this bill. We are particularly interested in its process to define essential services, its rationale surrounding the commissioner's powers, and the government's ability to make regulatory amendments to the act once passed. We must be extremely careful, Mr. Speaker, to ensure that the government has a fair and open process for defining what services are deemed to be essential and thus prevented from striking. Defining essential services is a delicate matter which requires a balanced and measured approach.

It may be commonly assumed that designating a service as essential decreases the number of strikes. In terms of full strikes this is true. However, a study by the C.D. Howe Institute showed that between 1977 and 2008 there were over 600 partial strikes by services declared to be essential. Moreover, it may also be assumed by some that being an essential service and thus barred from striking would mean less bargaining power and lower salaries. This is false. The right to strike does not mean higher salaries. It is, in fact, generally the opposite. The same C.D. Howe study showed that officially designated essential services had an average 13 per cent premium over negotiated nominal wage increases.

From a fiscal perspective, ensuring that we have a clearer understanding of what is an essential service will potentially save Albertans' tax dollars. It will remove services that are not actually essential, however important they may be, from the path to an automatic and often expensive arbitration process. It will mean that the government is fully accountable for wage agreements and can't blame irresponsible raises on arbitration.

This legislation has the ability to affect Albertans for decades to come. In light of the fact that labour laws continue to evolve, would the government consider implementing a sunset provision for this legislation as recommended by the Canadian Association of Counsel to Employers?

[The Deputy Speaker in the chair]

Another element of concern is how the government has decided to respond to the Supreme Court by appointing a single commissioner vested with a great deal of power. Accordingly, the commissioner appointed to oversee essential services agreements must be committed to securing agreements that respect Albertans' needs and Albertans' tax dollars. This commissioner should be an

Albertan familiar with our own unique labour laws and history, not someone dropped in by the NDP, as they have done with several government posts already. It needs to be someone committed to Alberta, Alberta services, and Alberta's tax dollars. It should not be a patronage appointment or an AUPE insider whose professional history makes Albertans wonder if the public interest is his or her one and only priority.

But even if all of these conditions are met, the government still needs to explain the need to concentrate so much power in the office of a single appointed commissioner. Section 95 of the bill states that this commissioner will have the unilateral power to amend essential services agreements. These agreements will then be binding on both the employer, taxpayers, and the employees, the providers, even if they had a mutually agreed upon arrangement to something else. That is incredible power, Madam Speaker, power without appeal. These agreements need a measured approach. Can the government explain why it decided to give the commissioner such extensive powers instead of requiring the commissioner to obtain the agreement of both parties if he or she desires some change to voluntary agreements?

Furthermore, the bill states that this commissioner must be either the chair or the vice-chair of the Labour Relations Board, which is appointed by the cabinet. The appointment of the commissioner from among the chair or vice-chair of the Labour Relations Board cannot be a patronage or insider appointment, as we saw when the government appointed a veteran from the AUPE to be their new chief negotiator on public-sector contracts. The government wants to grant this political appointee the ability to have significant authority without any means to appeal their decisions. My question is: why isn't the commissioner subject to ministerial authority? Why isn't the Labour Relations Board as a whole charged with adjudication of the essential services agreements?

Now, we know the elephant in the room. We know that organized labour is deeply entrenched within the NDP, and that's okay, but we need to be open about this. The Alberta Federation of Labour is written into the constitution of the NDP and receives delegate spots at NDP conventions. The NDP also have a labour caucus, that elects two vice-presidents to the executive. The Provincial Council of the NDP has five members from the labour caucus, two from the Alberta Federation of Labour, and one member from each of the five largest affiliates in the province. Could you imagine having corporations and chambers of commerce being entrenched in the constitution of the Wildrose? No. We wouldn't. Then we have the big union bosses who step up as NDP candidates during elections but are safely allowed to return to their positions as union bosses when they lose.

I want to support this bill, but I am skeptical about several sections of it, Madam Speaker. We must ensure that our laws comply with the Supreme Court, but we should go no further than required by the Supreme Court for reasons that are thus far not adequately explained. The NDP's history and recent actions give us real cause to carefully study this bill to ensure that the final product is fair to the essential services workers, responsible to the Albertans who rely on those services, and respectful to the taxpayers who pay for them.

Thank you, Madam Speaker.

The Deputy Speaker: Any questions under 29(2)(a)? The hon. Member for Edmonton-Ellerslie.

Loyola: Yes. Thank you, Madam Speaker, and thank you to the Member for Strathmore-Brooks for his comments. In light of the fact that already there have been two members of the House that have gotten up to talk about collaboration and a paradigm shift, I

would like to hear from the Member for Strathmore-Brooks on how he thinks that we can better work together in order to reach agreements between employers and employees moving forward.

3:30

Mr. Fildebrandt: Thank you, Madam Speaker. Thank you to the Member for Edmonton-Ellerslie for the question. I think it's a very pertinent question. On some matters there is obviously a very big difference of opinion between parties and we have to agree to disagree – in fact, most days might be like that – but sometimes we're able to find areas of collaboration between parties. We've done it on several bills already, and it is my genuine hope that we can do so on this bill. It is my intention to support this bill at second reading, but further support of the bill from myself and the Official Opposition will depend upon how we're able to collaborate moving forward.

We have very serious concerns about the bill. I do believe that the bill is written with the best of intentions to comply with the Supreme Court ruling. No matter which party was in government, a bill of some form would have to be brought forward to comply with the Supreme Court ruling. My concerns rely primarily around the significant powers given to the commissioner and the inability to appeal those decisions and around parts of this bill which appear to go beyond what was required by the Supreme Court, particularly surrounding replacement workers. It's my belief that agreements around essential services and replacement workers should be negotiated, not covered in the legislation, particularly here. I think it would unfairly tip the balance of negotiations out of the hand of employers when trying to negotiate fair and reasonable essential services agreements.

It is my intention to support this at second reading. I know that the Minister of Labour provided a very thoughtful and thorough briefing to members of the opposition that I think went a long way to reaching out to us. If it was simply tossed on the desk without us seeing it, perhaps it would have been less collaborative. I think it was a good process to brief the members of the opposition, to bring us into the process for our feedback. I do believe it was genuine and in the best of intentions. But we do have real concerns about this bill that will have to be brought forward in the form of amendments later. I think that members on this side of the House genuinely would like to see a spirit of co-operation to ensure that this bill can receive the support of all parties at third reading.

The Deputy Speaker: The hon. Member for Calgary-Currie.

Mr. Malkinson: This is 29(2)(a)?

The Deputy Speaker: Yes.

Mr. Malkinson: Thank you, Madam Speaker. In response to comments from the hon. Member for Strathmore-Brooks I was wondering – you talked about the sunset provision in the bill, and I had a question for the hon. member. When you have a suggestion like that, it seems like adding a sunset provision in the legislation would create red tape and bureaucracy, something that I know the member often speaks against in this House, and requiring government staff to spend more time renewing the legislation in the future: I would think that we wouldn't want more cumbersome clauses in our legislation. I was thinking that would not be a good thing.

I can imagine a scenario where a contract with the public service would be up for negotiation sometime when, say, a sunset provision would be coming due. You know, with your concern for taxpayers you could imagine the chaos that would create and potential feelings of bad faith when you had a sunset provision coming due

and a contract negotiation. You would have some sides of that debate trying to understand whether that provision is going to be there for them and whether their rights would change halfway through the negotiation process. I was wondering if the hon. member would agree that that would potentially be a problem with adding a sunset provision and, if not, maybe enlighten us.

The Deputy Speaker: The hon. Member for Strathmore-Brooks.

Mr. Fildebrandt: Thank you, Madam Speaker. I'm always happy to enlighten the Member for Calgary-Currie. That is a thoughtful set of questions, which I am happy to speak to. Our suggestion of a sunset clause in the legislation comes from I believe it is the council for employers in the province. Coming from a perspective where when we're putting forward legislation and there are . . .

The Deputy Speaker: Moving on to the next speaker on my list, I'll recognize the hon. Member for Calgary-Mountain View, followed by the hon. Member for Edmonton-Manning.

Dr. Swann: Thank you, Madam Speaker. I'm pleased to speak to Bill 4, An Act to Implement a Supreme Court Ruling Governing Essential Services. It proposes to ensure that our code, Labour Relations Code, is compliant with the Supreme Court decision, as discussed. This dialogue has been helpful for me to further clarify some of the nuances of this important legislation. The legislation basically guarantees public-sector workers the right to strike with the caveat that unions and employers must agree on a contingency plan in the event of labour disruptions.

I take us back to 1977, when Premier Peter Lougheed made it illegal for any public-sector employee to strike, declaring them essential even if they weren't, and to compensate for removing their right, he . . .

The Deputy Speaker: Hon. member, it's just been drawn to my attention that you did already speak to this bill in second reading, which means you can't speak again. You can in committee but not in second reading.

Dr. Swann: I don't believe I have spoken in second, Madam Speaker.

The Deputy Speaker: I'm advised by Parliamentary Counsel.

Dr. Swann: We disagree, do we? I'll have to . . .

The Deputy Speaker: I guess we'll have to check *Hansard*.

Dr. Swann: Must have been my double.

The Deputy Speaker: I'll now call on the hon. Member for Edmonton-Manning.

Ms Sweet: Thank you, Madam Speaker. It is my pleasure to stand to speak to the important issue around essential services. As many of the members are aware, I represented the Human Services members who worked in PDD, office of the public guardian, AISH, and children's services. In this position I participated as a member of the bargaining team and have had the experience of going through binding arbitration.

Let's spend a few minutes talking about the bargaining process. During former Premier Peter Lougheed's leadership he deprived public employees the right to strike in the event of an impasse in bargaining. However, in return they received access to compulsory arbitration processes; in other words, an arbiter who looks at the facts, the laws, and the public- and private-sector compensations

and who then has the right to impose a settlement on both parties, binding arbitration. This process was a compromise that was established due to a respectful relationship between the government and the essential services employees.

However, things have changed, Madam Speaker. In recent years the past government under the leadership of Premier Redford engaged in the process to dictate the salaries of all employees by introducing Bill 46, Public Service Salary Restraint Act, that would impose a two-year salary freeze and negate the collective bargaining process by removing binding arbitration. In addition to this legislation a second piece was introduced: Bill 45, Public Sector Services Continuation Act. This act significantly increased the penalties for illegal strikes by workers who are determined to provide essential services. This bill was introduced as a response to the wildcat strike by correctional officers that began at the Edmonton Remand Centre earlier that year. The government proposed to introduce harsh fines of up to a million dollars per day on a union in the case of an illegal strike or even the threat of an illegal strike. Neither of these bills received royal assent. However, it was this tone that was set by the past government that raised serious questions around the ability to have a fair bargaining process between the essential services workers and the government.

A court challenge was launched to the Queen's Bench with an outcome that ruled that workers have the human right to strike, so here we are today, Madam Speaker. It needs to be reinforced, the importance of the bargaining process. As all members of this House will recognize, the language that is developed in contracts is extremely important when ensuring transparent and working relationships. In fact, the language within the collective agreements that are negotiated is where the most time and work is spent. This language can focus on things such as occupational health and safety, hours of work, caseload issues among a variety of other things. Financial compensation is the last thing to be negotiated and is usually the quickest part of negotiation.

Madam Speaker, why do we need to amend our labour laws to ensure that essential services workers have the right to strike? Let us refer back to the Redford government and the strike at the remand centre, a strike that was not started due to compensation but, in fact, was a response to imminent occupational health and safety issues found within the remand centre. Members have tried to have the issues addressed; however, they were ignored, and the workers were being injured. So the workers struck, and it created stress on supporting the inmates because there was no plan in place to ensure that there were significant workers available to keep the building running.

We can do better, Madam Speaker. Our government understands the importance of being proactive and ensuring that we plan to support the essential services that so many Albertans need and that may also be affected by a strike. This is why the essential services agreement is so important. These agreements are essential to protecting the public services Albertans depend on. That's why our essential services legislation sets out a commissioner who will assess and verify essential services agreements to ensure requirements are being met.

3:40

The language in place in our legislation also provides flexibility by allowing essential services agreements to be reassessed in order to accommodate a change of circumstance or a continuation of care. This is important legislation, Madam Speaker. Not only does it address the fundamental right of individuals to strike; it also ensures that Albertans continue to receive the quality of care that they deserve.

In closing, Madam Speaker, we need to remember that workers' rights are human rights, and it's our job as a government to ensure that human rights are protected here in Alberta. Thank you.

The Deputy Speaker: Questions or comments under 29(2)(a)? The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you, Madam Speaker. Bill 4, An Act to Implement a Supreme Court Ruling Governing Essential Services is the title of the bill. Lots of really important technical information is there. I'm just wondering: from the hon. member's perspective, is there anything inside the bill that's outside of the scope of the Supreme Court ruling?

The Deputy Speaker: Edmonton-Manning.

Ms Sweet: Thank you, Madam Speaker, and thank you to the member for the question. I would think that what the member is trying to hint at is looking at the replacement worker component within the bill. I just want to really reinforce how important it is that we ensure that the people that are working during strikes are the qualified people that need to be there. We want to ensure that when we are entering into these essential services agreements, the staff that are going to be replacing the workers that need to be in there are the qualified nurses and the LPNs and all of those people that have been working in those facilities, not private contractors that are going to be brought in that could potentially put Albertans at risk.

Thank you.

The Deputy Speaker: Strathmore-Brooks.

Mr. Fildebrandt: Thank you, Madam Speaker. I thank the member for her response to the Member for Olds-Didsbury-Three Hills. However, that's not what the people in the briefing told members of this caucus when we asked about that specific provision concerning replacement workers for essential services. There are ways to replace people for essential services that are – you know, you could bring in other workers from the same field, perhaps even from the same workplace to cover off those positions. It was not a public safety provision, as explained to us in the briefing. It was explained to us in terms of a balance of negotiations.

Now, I'm of an opinion that your essential services workers probably shouldn't be replaced, but those provisions should be negotiated in the essential services agreements, not in the contracts later on because that would remove a significant bargaining chip from the government when negotiating a fair and reasonable essential services agreement.

The Deputy Speaker: The hon. member.

Ms Sweet: Thank you, Madam Speaker. I'm actually quite happy that the member has decided to stand and ask me a question, partly because when we're looking at how we engage with the commissioner in developing these essential services, all of those conversations are happening around who the workers will be that will be able to provide the essential services in case of strike.

The part that I found really interesting, though, is that there was a conversation that had just happened recently around some inconsistencies with the Wildrose and the member of the Official Opposition and how they were feeling about this piece of legislation. The member who just asked me the question was speaking to the fact that "moving forward, the province should amend the legislation governing binding arbitration to reflect the fiscal realities of the province" in the *Edmonton Journal* on June

11, 2014, but then we also have another member that spoke up last week and was arguing in favour of the status quo and using arbitration as a good mechanism. I guess what I'm trying to understand is that – I'm not quite sure where the Official Opposition actually stands on this legislation and why there's such a resistance when looking at, you know, trying to figure out, really, whether arbitration or commissioners or any of those things actually matter.

The Deputy Speaker: No further questions under 29(2)(a)?
Edmonton-Ellerslie.

Loyola: Yes. I want to thank the Member for Edmonton-Manning for the knowledge that she's shared with us regarding her own personal experiences and if she could elaborate a little bit more on the importance of this legislation from her perspective.

Ms Sweet: Well, I think that there are two key components that are extremely important about this legislation. Thank you again for the question. The key component is the fact that there is a fundamental right for individuals who affiliate with the union, the right to have a bargaining process that includes the right to strike. There will be conversations that I'm sure will happen in this House over the next few days that will try to make it be perceived that this will somehow hinder the ability of the bargaining process. What we know is that when there is the ability for a right to strike, the bargaining process tends to work a lot more efficiently because there is a mutual understanding that this needs to be resolved or work will stop. There is this ability to move forward and to make sure that everybody is working collaboratively together.

I think the other important thing about essential services and that we're going to have an essential services agreement is the fact that it protects Albertans.

The Deputy Speaker: Next on my list is the hon. Member for Drayton Valley-Devon.

Mr. Smith: Thank you, Madam Speaker. Today this House is considering Bill 4, An Act to Implement a Supreme Court Ruling Governing Essential Services. In our democratic system, which carefully separates the powers of this Legislature and government, this Legislature must now make changes to how we treat a large number of workers. The Supreme Court, which exercises judicial power, has determined that the right to strike is a fundamental right for unionized workers. The prohibitions that the Alberta government has put in place in the law banning strikes by public-sector workers have been deemed by the Supreme Court to be an unreasonable infringement on the workers who belong to a union.

A further court decision by the Alberta Court of Queen's Bench in 2015 ruled that parts of the Labour Relations Code and the Public Service Employee Relations Act needed to be replaced. New legislation needed to be drafted that would allow workers, at least those not considered essential to public health and safety, to now be able to go on strike and for employers to be able to lock out their employees as in another unionized environment. The ramifications of these changes, Madam Speaker, will have huge implications on employer and employee relations in the public sector provincially.

An essential service as currently defined in this bill is a public service that if it was interrupted "would endanger the life, personal safety or the health of the public" at large. An essential service would also include those jobs where "the maintenance and the administration of the rule of law or public security" could be negatively affected. That is what's going to make this a difficult task. We must ensure as legislators that this bill balances the safety and security rights of Albertans with the right of Alberta citizens

who work in public-sector jobs to fairly bargain for their wages and their working conditions.

Under current legislation teachers and teaching support staff, health care employees at nonapproved hospitals and those not working for Alberta Health Services, privately owned and operated senior care facilities, all staff at not-for-profit continuing care facilities, and most municipal workers have had the right to strike. But there have been many unionized workers in Alberta who have been deemed by legislation to work in a job broadly deemed as essential services: all unionized government of Alberta employees, including agencies, boards, and commissions; nurses; technical and professional staff at approved hospitals; postsecondary faculty and support staff; police, firefighters, and emergency medical services. As we debate the relative merits of this bill, we are going to have to be very careful. This bill must balance two legitimate sets of rights.

Earlier this year this Legislature debated whether to raise personal and corporate income taxes. At the time I argued that while every government must assess taxes on its citizens, if it is going to provide for public community services, this should be done with the realization that these taxes are not just the government's by right, and therefore the government must be very prudent when setting tax rates. A worker or a business owner has the right to their labour, and there must be compelling reasons to assess those taxes before the state is justified in imposing its will to compromise your right to keep the efforts of your labour.

3:50

In this instance, when we are talking about a worker's right to strike, I would also argue that as an extension of a person's right to keep the profits of their labour, that same worker has the right to bargain for their wage, including the right of unionized workers to strike. Indeed, it was only a few years ago, when the PC government was threatening that right to strike by public employees, that the Wildrose Party defended that principle in this very Legislature.

Indeed, as an educator for 30 years and therefore a member of the Alberta Teachers' Association I became well acquainted with the process that teachers had set in place for local bargaining. While I never had to exercise my right to strike as part of the process of collective bargaining – I always was very grateful for that – I was always appreciative of the fact that that option was there for teachers. Why? Because unless there are compelling reasons to show differently, every worker should be able to influence the compensation and the working conditions, et cetera, under which they are agreeing to work.

Now, Madam Speaker, I'd better be careful here because I don't want my colleagues in the House across the way, my colleagues of the NDP, to believe that like Paul on the road to Damascus I have been blinded by the light of progressivism and suddenly have come to see the light. Unions and collective bargaining and, in extreme circumstances, even the right to strike may have a place in labour relations, but as in all things in life, especially for conservatives, there must be a balance in life and a balance in rights.

There are jobs and there are circumstances under which it would be deemed reasonable to restrict the rights of a worker and to exclude the right to strike. Under Bill 4 police, firefighters, and non Alberta Health Services ambulance operators will continue to be deemed an essential service and will therefore use compulsory arbitration to solve disputes and will not fall under this particular piece of legislation. This, too, is proper. Workers are not the only ones with rights; the society as a whole has a legitimate right to expect that their society will not be destabilized or become unsafe because of a labour dispute. Society must depend on the police, the firefighters, the doctors, and the nurses that provide these essential

services to be available at all times. People's lives and the very safety and security of society depend upon these jobs.

The workers that enter these professions know ahead of time that their chosen profession is of critical importance to the well-being of the society as a whole and that when they chose to enter that profession, they were giving up their right to strike when bargaining collectively. This does not mean that these professions are not at the end of the day compensated fairly. In fact, those who are granted compulsory arbitration in exchange for the right to strike have generally profited from it. A study by the C.D. Howe Institute showed that essential services had an average 13 per cent premium in their negotiated nominal wage increase.

In a democracy all rights have restrictions, but those restrictions must only be applied in what would be commonly viewed as a reasonable restriction on that particular right. The Supreme Court has ruled that we must review our legislation to ensure that the right to strike is being restricted only in what would be viewed as a reasonable fashion. We must ensure that Bill 4 does exactly this. We must ensure that it is a good piece of legislation. While this bill titles itself after the need to meet a Supreme Court requirement, the way it has chosen to meet it and the ways it has gone beyond what the court demanded are what we must deliberate upon. In case we have not quite got it right after deliberation – and let's clarify that the courts were not entirely clear in their ruling on what is required to make any fixes in this important act – I believe we should consider a sunset clause; that is, a clause that automatically forces this Legislature to review this bill by having to revisit it four or five years from now.

In section 95 of Bill 4 a commissioner is appointed to oversee essential services agreements. The bill states that this commissioner will have the unilateral power to amend essential services agreements even if both parties agree. I worry that this does not pass the smell test of what would be considered reasonable in a democratic society. All officials and all agents of the government in a democracy must always face a reasonable level of accountability in order to maintain good government decisions. The power of unilateral decision-making is almost never a good idea. I believe that this commissioner needs a check, whether it is by the Labour Relations Board or the minister who is subject to the House and therefore accountable to the people of this province. That is something I hope we can think about when we are in the Committee of the Whole.

As we look for the right balance, let's keep in mind the need for nonessential public employees to have similar rights to other individuals but also the Crown's duty to provide basic services to Alberta and to Albertans. There will always be some grey areas in what is determined to be essential, but with rights at stake on the one side and lives at stake on the other, we need to act in good faith here in this Legislature to ensure that the process we set up to adjudicate those differences is a fair one.

While I approve in principle the direction of this bill – it will not only improve individual rights, but I believe that it will bring in an ability for the people of Alberta to ensure that essential services are still maintained – I believe that we need to make sure that we have at the end of the day balanced individual and societal rights in an appropriate and a democratic fashion.

Thank you.

The Deputy Speaker: Questions or comments under 29(2)(a)? The hon. Member for Edmonton-Manning.

Ms Sweet: Thank you, Madam Speaker, and thank you to the member for his statement. I'm just curious around how you see the arbitration process working and how you would, then, perceive the

commissioner working. I keep hearing these comments around: too much power for the commissioner. Yet there is an actual arbitration process that is a binding process. Does your party support arbitration? Does your party support commissioners? How do you decide who gets the ultimate binding agreement when it comes to the bargaining process?

The Deputy Speaker: Drayton Valley-Devon.

Mr. Smith: Thank you, Madam Speaker, and thank you for the question. You know, I think that as we come together as a Legislature, that's a discussion that is probably best had at the Committee of the Whole.

An Hon. Member: We can't hear you.

Mr. Smith: I'm sorry. I will make sure that I speak to the Speaker there, and then you can hear me speak, okay?

I believe that, for the members across the way, when we take a look at the whole arbitration process – I know that while I've had some understanding of that as a part of being an educator for 30 years and having seen some arbitrated settlements both with nurses as well as with teachers, I would be remiss if I said that I had a full understanding of it. I believe that probably her questions and how we see things going – I'm still open. I'm still very fluid on how we do this. I believe that we need to have that conversation about whether or not the commissioner will have some checks on his power where that has the ability to impact arbitration and whether or not we need to work down that path. I remain open as a legislator to the comments that are here, but also at the end of the day we'll have to make a judgment as to whether or not we've come to a good decision on this.

4:00

The Deputy Speaker: The hon. Member for Banff-Cochrane.

Mr. Westhead: Thank you, Madam Speaker. I have a question for the member. He indicated a bit of concern around unilateral decision-making of the commissioner. I just want to make sure that he understands that there is a procedure leading up to the fact before the commissioner were ever to get involved. You know, this process involves a negotiation and adjudication model, so there are several steps and checks and balances before it comes to the commissioner getting involved. One of the reasons that the Supreme Court ruled the way they did is because in the SFL case the government was the one making a unilateral decision, and that's why they threw that law out. I just wanted to ask the member if he feels that all the processes leading up to the point where the commissioner would get involved, those processes prior to the commissioner, would satisfy his concern about unilateral decision-making.

The Deputy Speaker: The hon. member.

Mr. Smith: Thank you, Madam Speaker, and thank you for the question, or for the comment at least. You know, obviously, again, what I say is that, really, Committee of the Whole is going to be important, and that's what it's there for. These are issues that are very important. We have to balance those rights. I look forward to hearing the conversation so that I can make a better decision as to whether or not we've actually found that right balance. So thank you for the comments.

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

Seeing none, I'll move to my next speaker, Edmonton-Decore.

Mr. Nielsen: Thank you, Madam Speaker, for the opportunity to rise and speak to Bill 4, An Act to Implement a Supreme Court Ruling Governing Essential Services. I should probably provide a little bit of background here as to why I'm a little bit interested in this. Before being elected as the MLA for Edmonton-Decore, I worked in various positions at Lucerne Foods over 26 years. Out of the 26, I spent 18 of those as a shop steward as well as volunteering on various committees and also performing the duties of a relief representative with the United Food and Commercial Workers, local 401. So you could probably say that workers' rights have been a bit of a top priority of mine for quite some time, and I very clearly say that I support the collective bargaining process, which I've even participated in a few times, and the rights of both the union and the employer.

But I also know that Albertans need to have reliable access to essential services in the event of a work stoppage. This is why essential services legislation recently introduced by our government is so important. This will modernize Alberta's labour laws and ensure that employers, government, and unions work together for the benefit of all Albertans.

Now, why is this so important? Well, again a little history. In 2015 the Supreme Court of Canada ruled that the right to strike is fundamental for workers. Then, of course, only two months later the Court of Queen's Bench of Alberta declared that strike prohibition in the Public Service Employee Relations Act and similar strike bans in the Labour Relations Code are unconstitutional. Needless to say, Madam Speaker, the courts have been quite clear that public-sector workers have the right to strike.

Now, currently Alberta legislation forbids strikes and lockouts in the public sector. It requires compulsory arbitration to solve disputes. Bill 4, an act to implement a Supreme Court ruling, will change this by placing a greater responsibility for a settlement in the hands of the employer and union negotiations, minimizing the use of compulsory and often very costly arbitration. It's been a little bit too easy for both sides to simply say: "Well, it's not working out. We can't reach a deal. Let's let somebody else go and make those decisions for us." The bill can really get out of hand sometimes when that happens. We need to have this process so that we can begin good-faith bargaining at all times, not just sort of when we feel like it or when, you know, sunset clauses step in and we can just decide: well, we'll just bide some time.

This legislation has been brought forward after, of course, extensive consultation with Alberta public-sector employers, unions, and employees and the general public. If passed, it will bring Alberta's labour legislation in line with the courts and, finally, the rest of the country. It would also ensure stability for public services in our province. I think the last thing we want to see is people going out on strike and chaos ensuing. That's why it's so important to have this essential services component.

Albertans shouldn't have to worry about care and safety when two parties can't agree. Bill 4 will ensure that essential services like emergency health care are provided to the general public during strikes and/or lockouts. Determining what essential services will be maintained during work stoppages will be decided by the public-sector employers and the unions working together, something that we've kind of created an atmosphere of not being able to do. I think this will finally open it up and allow these folks to get to the table, get a deal hammered out so we can move forward. If they can't reach an agreement, a neutral third party will resolve the dispute quickly and efficiently. The last thing we need is these things dragging out forever on end.

This legislation will create a fair and level playing field, will provide Alberta workers basic rights that they've been denied, allowing them to bargain with their employers in good faith. It will

also create a collaborative atmosphere for employers and unions working together to reach an agreement that is fair for both sides.

Madam Speaker, in summary, this legislation helps us achieve our goals: to comply with the Supreme Court of Canada and the Queen's Bench, to protect public services that everyone relies on, and to balance the right of unionized workers to a fair collective bargaining process. I would certainly want to encourage all of the members of this Assembly to support this bill because I think we can finally put to rest this combative atmosphere that we seem to have always had.

Thank you.

The Deputy Speaker: Under 29(2)(a), Calgary-Currie.

Mr. Malkinson: Thank you, Madam Speaker. As I was listening to the hon. Member for Edmonton-Decore, he was talking about working together with the government and with the particular bargaining unit in regard to figuring out which employees would be essential services employees. Now, since he, as he mentioned, has experience in the union movement and the public sector and other contract negotiations, I was wondering what his thoughts would be on whether having both the employer and the union work together on who is an essential service would foster goodwill amongst the parties as they go through the negotiation process.

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

Mr. Nielsen: Well, thank you, Madam Speaker. Certainly, when you can get both sides at the table actually talking, it's amazing what starts to happen. One of the biggest roadblocks in bargaining is just simply stalling out and hoping to just go to a process where somebody else will do it for you. It's so important that when you're coming to the table to bargain, it's done in good faith. You're actually trying to work with each other. The employer can actually come to the table, you know, and let the other side know what it is they need to make everything happen. The union can then come to the table, doing the exact same thing.

4:10

It's amazing how often you actually come to a fair and equitable agreement when both of those stories are allowed to be told rather than just simply pushing it off to an arbitration process that generally doesn't tend to favour either side. I think that once we can get these two sides actually talking, it will be pretty exciting to see what the employer, what the union, and what even the bargaining members can put together.

The Deputy Speaker: Any other questions or comments under 29(2)(a)?

Seeing none, next on my list is the hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Why, thank you, Madam Speaker. It's my pleasure to rise today and debate this very critical and important piece of legislation, Bill 4, An Act to Implement a Supreme Court Ruling Governing Essential Services, and for the record a few other sundry items in there.

An Hon. Member: Sundre?

Mr. Cooper: Hey, I like what you did with "sundry" there.

This is an important piece of legislation. This is a highly technical piece of legislation. We have already seen, just this afternoon, some varying of opinions on what is in the bill, what isn't in the bill. Is the bill's only desire or scope to fulfill the mandate of that Supreme

Court ruling, or are there other items inside the piece of legislation that go beyond that Supreme Court ruling?

[The Speaker in the chair]

My intention this afternoon, Mr. Speaker, with my questioning of my colleagues in this Assembly on “Are there items inside the bill outside of the scope of the ruling?” is actually not to trip anyone up. The intention was merely to say that there is a wide variety of knowledge on this particular piece of legislation. There are many members in this Assembly that are very, very knowledgeable about every step of the process, and there are members of the Assembly that know very little about the process.

What I consistently come back to in this place – and many of you have had the pleasure or not pleasure, depending on one’s perspective, of being here when I’ve had the opportunity to rise and speak about the importance of getting legislation right. While I appreciate that the government has engaged Mr. Sims to put together the report on the Supreme Court ruling and while I appreciate that they have done some consultation on this particular issue – you know, they are doing consultation better on some issues that are perhaps more important to them than others, as we’ve seen in some other pieces of legislation where the consultation hasn’t been quite as robust as it has here in the lead-up to Bill 4 – I get back to the fact that while the consultation may have been good, certainly that same type of consultation hasn’t been afforded to all members of the Assembly.

We see a situation here today with Bill 4 where in all likelihood we’re going to conclude second reading of Bill 4 today. Committee of the Whole is going to come quite likely tomorrow given the very few pieces of legislation that this government has introduced in this session. So Committee of the Whole is going to come tomorrow, and then it’s very possible and reasonable that on Thursday morning Bill 4 could in fact become law.

Let me be clear, Mr. Speaker. There are many things in this piece of legislation that I and many of my colleagues – and I can only speculate because of the free-vote system that we have on this side of the House – will be supporting. In fact, it’s my belief that the vast majority of the Wildrose caucus will be supporting Bill 4 at second reading.

So I find it a little disingenuous when the Member for Edmonton-Ellerslie rises and says that he just wants to have a conversation with the opposition and just wants to work with us when, in fact, there has been more than one occasion where we have had this opportunity to work together. It appears that we’re going to support Bill 4 at second reading. We certainly had some good co-operation on Bill 1 in a previous session, when we were getting union and corporate donations out of the influence of politics. Now, there are some significant loopholes in that legislation. I think that the government should take steps to fix those, but certainly we worked together on that.

There are a number of other areas, including the Official Opposition proposing a significant number of reasonable amendments to legislation, most of which haven’t been accepted. But, in fact, at this very moment, while we speak, it’s my belief that the Official Opposition, a member of our team, is meeting with a member of their team to discuss some of the possibilities around amendments because what’s important to this side of the House is getting legislation right for all of the province. That means that it’s possible that there is going to be a wide variety of amendments that we’ll propose that, in fact, are good ideas. In times past when we’ve tried to work together, particularly on a previous piece of legislation in the form of Bill 203, the government said, “We want to talk about

it,” killed it, brought it back. So it’s not just the opposition that prevents communication inside this place.

I agree that we ought to ensure that pieces of legislation best reflect the interests of Albertans. One of the ways that we have the opportunity to do that is in committee, because tomorrow or whenever Committee of the Whole is called in this place, likely tomorrow, when we introduce a number of amendments, the government is going to have to make decisions very, very quickly as to whether or not they support those amendments. It’s one of the reasons why we’ve reached out to the minister responsible for this bill, to try and have a sense so that there can be some mutual agreement, perhaps.

But the best way, Mr. Speaker, the way that happens in almost every jurisdiction across this great land, is that these sorts of critical decisions aren’t made on the floor of the Assembly but are in fact made in a legislative policy committee. We saw and just heard the Minister of Economic Development and Trade across the aisle here say, “We’re working on Bill 1 in committee,” and the special ethics committee is certainly doing that. While he may have not said it out loud so everyone could hear, he certainly said that we were working on it in committee, fixing the loopholes around Bill 1, and it’s my belief that the special ethics committee is working to do that if they would ever meet, sir.

Mr. Bilous: Point of order.

The Speaker: The hon. minister raised a point of order.

Point of Order Allegations against a Member

Mr. Bilous: Yes, Mr. Speaker. I refer to, in the standing orders, 23 ...

Mr. Cooper: Standing Order 23(h), (i), and (j).

Mr. Bilous: Sounds pretty good.

Mr. Speaker, quite frankly, what the hon. member just said – his claims are patently false. I did not speak to Bill 1 going to committee, nor did I talk about making amendments to Bill 1 whatsoever. It’s completely untrue and false, and I request that the member withdraw his comments.

Mr. Cooper: Mr. Speaker, certainly, I will be happy to withdraw my comment. I would just add a point of clarification for you, that I certainly wasn’t referring to Bill 1 in this legislative session but Bill 1 in the last legislative session, which was to ban union and corporate donations. I believed that he had implied that the special ethics committee was dealing with some of the loopholes at committee, and in his jest across the aisle during my presentation, perhaps that wasn’t the case. Either way, I am more than happy to withdraw the comments and consider the matter dealt with.

The Speaker: Thank you, hon. member. Do you wish to continue?

4:20

Debate Continued

Mr. Cooper: I’d love to continue. As I was saying, the role of committee can be used as an important tool here in the Alberta Legislature, as is done in many jurisdictions, because we get to have that conversation that the Member for Edmonton-Ellerslie so wisely desires, this conversation between the government and the opposition that isn’t done oftentimes in the highly partisan manner that, in the nature of the government and opposition, particularly in the Chamber, it typically winds up in.

So I would just like to propose an amendment to Bill 4 that would allow that committee to take place. I'm happy to pass those around, and I'm happy to continue as well, whatever your preference is, sir.

The Speaker: Hon. member, do you have copies of the proposed amendment, 95 copies?

Mr. Cooper: I do. Do you mind if I continue while they're distributed?

The Speaker: Proceed.

Mr. Cooper: The notice of amendment is for Mr. Cooper to move that the motion for second reading of Bill 4, An Act to Implement a Supreme Court Ruling Governing Essential Services, be amended by deleting all the words after "that" and substituting the following:

Bill 4, An Act to Implement a Supreme Court Ruling Governing Essential Services, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Alberta's Economic Future in accordance with Standing Order 74.2.

Mr. Speaker, what this amendment does is that it would provide an opportunity for all members of the Assembly to have the chance to reach out to experts, to labour lawyers, to union leaders, to business owners, to essential service providers. Earlier today we heard that there may be some confusion around the role of paramedics, some paramedics being included inside the legislation and others that may not be included inside the legislation. These are the exact type of loopholes – it would be great if we could get them solved prior to the legislation becoming law.

We have heard from Albertans that what they would like us to do is to make sure that we get it right, and I believe that the government's intention is to get this piece of legislation right as well. But the best place for us to ensure that that can happen is – if we send this piece of legislation to committee, the committee can do a great job calling witnesses to ensure that we get the information that everyone needs so that we can make the best decision for Alberta.

Now, it's my guess that the government members will rise and say: "You're just trying to delay this. We've had a Supreme Court ruling that requires us to implement this." Let me be very clear. We are in full support of ensuring that the Supreme Court ruling is adhered to, and we in no way, shape, or form are intending to delay this bill for months and months and months on end and, in fact, are just wanting to get the information that is available to us out there on the record through the committee process.

While I've proposed amendments in past times and there were some hard-and-fast deadlines that existed on other pieces of legislation and the government used those hard-and-fast deadlines as an excuse to not send legislation to committee, the former government can no longer be blamed for timelines in this Assembly. The timelines that currently exist are because of this government. So it's critically important that we ensure that legislation is debated in a robust manner that can put stakeholders of the legislation at the fore, because what I would hate to see, Mr. Speaker, is something that we saw regularly in this place in the past, running risks, particularly if Bill 1, the act to ban corporate and union donations, ever has to come back to have those loopholes closed, perhaps as early as this fall, because we didn't do the due diligence at the time.

Certainly, when the third party was in government, this place regularly passed pieces of legislation and came back in the fall to fix the unintended consequences that they created. I think the point around which paramedics are in or out is a perfect example of the concern. We have the time, we have the ability, and I think it's

critically important that Bill 4, a bill that's important to the future of our province, important to labour relations in our province, be sent to committee so that we can get it right the first time.

I encourage all members of the Assembly to support the motion.

The Speaker: Hon. members, have all of the members received copies of the proposed amendment?

Seeing none, I remind the House that, as I understand the process now, the discussion is with respect to the amendment. Subject to the resolution of that amendment we would go back to the motion.

With that recognition, the Member for Leduc-Beaumont.

Mr. S. Anderson: Thank you, Mr. Speaker. As much as I love to hear the opposition members speak out there – I understand where he's coming from – I do rise in opposition to this, sorry to say. I apologize, you know, for upsetting him. He did mention what he said about the Supreme Court. I think the Supreme Court has called upon us as legislators to bring in clear and concise legislation on essential services, and as law-abiding members of this government we will and we should comply.

Now, this legislation has been endorsed already by employers and employees alike, by AHS, United Nurses, and other providers, whether they be health care or other public services that we've discussed, that our Labour minister has talked to. On the topic of health care, you know, we always want to make sure that those people are taking care of the patients, the families and are getting the people they need, the professionals they need.

This means not compromising the spirit of essential services in agreements by bringing in replacement workers – it was alluded to before – who could possibly do more harm than good. You know, I've seen that. It was in the private sector, but I have seen it at a mill that I worked at as a young fellow not long ago. There was a strike, which nobody likes, and it's never good for any side, to be honest. It's always hard on everybody. I had a friend of mine's dad who wasn't trained, who wasn't professional, but he was put in a situation, and he was killed because he wasn't a professional. That's not to speak to, you know, public service workers in this respect, but it was a replacement worker. Anyway, I digress a bit, but that's just from personal experience. Honestly, it just kind of popped into my head there.

The bill already I see as a clear framework, and it encourages employers and employees to work together and to collaborate and decide who isn't or who is essential in the workplace.

In my previous career as a communications technician with Telus I wasn't an essential service, but – I'll tell you what – when I showed up at a house with a family with kids that hadn't had Internet for a few days, they most definitely felt like I was an essential service, you know, in restoring their sanity. So I was kind of a health care worker in the same respect.

As much as I think that I was essential, you know, somebody like my wife, who's a health care worker and who saves lives every shift and never ceases to amaze me with what she does – those are the people that we're talking about here. Those are the essential services, and I have the utmost respect for them. She's a respiratory therapist and essential to the patients in her care.

You know, there was a previous members' statement about – again, this is personal. I can talk to what a member said in here because he was confused about something. He made a statement about a union worker going back to his job after being elected or not. Personally, in my union we bargained a fair contract where I can take a leave of absence for a political position or to run for a political position, and if I win, I have a leave of absence for the term of that position. If I don't, I can go back. That holds true for next time, in which I determine that I will win again because how could

you not with this handsome face here? And because of all my hard work that I do in the constituency. Sorry. That's what I should have said first. I apologize, Mr. Speaker.

4:30

Talking on the bill again, you know, Albertans deserve to know how their vital public services are being protected when there is a labour dispute. There's a lot of uncertainty out there. A lot of people don't know. Even in my previous union, the steelworkers, there were guys in the union who didn't know how this worked and how bargaining worked. As a shop steward and a VP and a delegate for conventions that was my job, right? Right now this bill is encompassing all of this. It's letting us communicate with people already. It's already given us the opportunity to consult with people out there.

As the Supreme Court said – and I go back to the Supreme Court because this is who we are ultimately listening to – it is every Canadian's right to join a union if they choose and to collectively bargain, and that includes the right to strike. Under the essential services model, bargaining will take on an even greater role in making sure that contracts and agreements are fair for everyone involved, and that's what we are going for here. It's a very positive step. It's going to be clear and open bargaining, making it fair on all sides. I think it will go a long way in enlightening citizens on how these agreements work and when they are needed.

I am also hopeful that throughout this process and debate the Official Opposition will come to understand exactly how collective bargaining works and that contracts are legally binding agreements and that you can't simply break them to cut workers' wages and benefits when you feel like it. I'm just saying. [some applause] Thank you.

So I will speak against this amendment. Thank you.

The Speaker: We are now dealing with the amendment to Bill 4. Speaking to the amendment, the hon. Member for Calgary-Hays.

Mr. McIver: Thank you, Mr. Speaker. I'll look forward, perhaps, to speaking to the main motion later on.

Mr. Speaker, the amendment brought here is to basically stop it in the House and send it to committee, which, frankly, isn't the worst idea in the world. I would have preferred that the mover had done it after second reading as opposed to at this point, and perhaps the mover will try it again at that point. I think this is a pretty important piece of legislation, one where we would want to hear from members of the House, anybody that wants to speak to it, before we send it away. That would be preferable. I think we got a signal from the government side that it may not pass, but on the off chance that it does, I feel obligated to say a couple of things here.

During my time as Labour minister if there was one thing or a couple of things impressed upon me, it was that labour legislation is super important. It affects everything that happens in Alberta, every family's livelihood, every business's opportunity for future opportunities. Certainly, one of the things that was made clear to me by people much wiser than I am on matters of labour is that one needs to be careful. One needs to be careful because labour legislation is one of those things in government that can actually tip the scale, and if you want to talk about creating winners and losers, it can really create winners and really create losers and not necessarily to the benefit of all Albertans if it's not done with great care, which is why I will say that I'm hoping to get a chance to talk on this more again in second reading.

But at some point, perhaps even in Committee of the Whole after we've heard from more members of the House that want to speak to this, having the most fulsome discussion possible, including at

committee, is probably a good idea, Mr. Speaker, even if it does not happen at this particular point.

The Speaker: Questions under 29(2)(a) for the Member for Calgary-Hays?

All right. Are there any other speakers with respect to the amendment? The Minister of Health.

Ms Hoffman: Thank you very much, Mr. Speaker, for the opportunity to express why I think it's so important that we move forward expeditiously as opposed to stalling this unduly. Certainly, both levels of court have declared that the right to strike is important as a Charter right. Both courts found that Alberta's public-sector strike prohibition interfered with collective bargaining. Certainly, being the minister for a very large public sector of employees, I think it's important that we have fair collective bargaining processes that lead to consistency, ideally in terms of patient care as well as moving forward and making sure that we have replacement worker legislation and processes outlined to make sure that if we ever are in the unfortunate situation, which, again, is neither the employer nor the employee's desire – it's important that we make sure that we do have that legislation in place. I have to say that by stalling on moving forward with this legislation, I'm concerned that it could lead to unsafe conditions, which we've seen.

Obviously, having the legislation in place that the previous government passed didn't stop strikes from happening. It meant that there were wildcat strikes and that they put the citizens of those facilities in danger, I would say. Rather than continuing to have legislation that isn't in compliance with the Charter, that isn't in compliance with the court rulings – this is simply a Supreme Court ruling. Delaying this further, I think, would threaten the safety and well-being of the citizens I'm thinking about who are sitting in hospital beds, who obviously want to make sure that when they ring the call button, somebody is there to deal with their needs, that somebody is there to respond to them.

I think it's really important that we move forward in a way that has been outlined, through a careful legislative bill, that seems to have great support on both the employee and the employer sides of the equation, to make sure that we protect the interests of our citizens, that we honour the rights of workers, and that we can move forward as a responsible government in a timely fashion.

Certainly, Alberta's public-sector labour legislation needs to be updated. It's almost 30 years old, Mr. Speaker, and it needs to be modernized to protect public-sector employees, respect their Charter rights, and, again as I mentioned, respect the citizens who rely on those essential services to be delivered in their hospitals or in their communities. Prisons are another example, another place where we saw wildcat strikes because we simply didn't have legislation that enabled safe and respectful bargaining processes. As a result, it led to a very unsafe situation, I'd say, for inmates as well as guards in those facilities.

With that being said, I would urge my colleagues to oppose the amendment as proposed, an amendment that would essentially stall this process which I think is very important. It's timely. You know, given that there are only two provinces that need to comply, I think it's about time we acknowledged that we are in 2016, updated our labour legislation, and made sure that the rights of both the workers as well as those who rely on those workers are respected and reflected. I worry that the amendment as proposed, which is basically for it not to be read a second time, would impede that.

I think that the person who moved the amendment actually said that he'd be voting in support of it at second reading, so I find a remark that he'd be voting in support of this and at the same an amendment saying that it not be read a second time very

contradictory and would ask that my colleagues vote against the amendment and that we move forward with this essential legislation to enact the Supreme Court ruling. This is a very clear Supreme Court decision, and it's time that we got on with it.

Thank you, Mr. Speaker.

4:40

The Speaker: Hon. members, are there any other members who would like to speak to the amendment to Bill 4?

Seeing none, before I call for the vote on the amendment, I understand there may be an agreement with respect to the length of times on the bells. I'm not sure if that's . . .

An Hon. Member: No.

The Speaker: Okay.

[Motion on amendment to second reading of Bill 4 lost]

The Speaker: Back to the bill. Hon Member for Calgary-Hays, you'd like to speak to the bill?

Mr. McIver: Yes, please, Mr. Speaker.

The Speaker: Thank you.

Mr. McIver: Thank you, Mr. Speaker. It's my pleasure to rise and speak on Bill 4, the essential services legislation. First, let me say that I will compliment the minister on bringing this forward. It's not that many months ago, when I was Labour minister, that this was on my plate for the very same reason that it's on this minister's plate: because of a Supreme Court of Canada decision in Saskatchewan, as has been referenced by many members here today, that says that people have to be offered the right to bargain collectively and strike and join a union and the other things that the Supreme Court of Canada decision made clear. So this is something that we as legislators in the broader spectrum have to do. Frankly, in the broader spectrum most of what's in the bill I certainly agree with.

As I said earlier, labour legislation is one of those things. I was there in the Labour ministry just long enough to know how little I know. While I probably learned a hundred times more than I knew when I started there, I still believe I don't know much because labour legislation is pretty complex, pretty far reaching into society, pretty far reaching into the economy and, in my view, should never be trifled with or taken lightly because you really can change people's lives. When you change people's lives, I think we get paid in here to try to change them for the better instead of the worse, which is why the care is required with legislation like this.

Mr. Speaker, I once said something that got misunderstood. I think I said that the fewer people that don't have the right to strike, the worse that it is. That's a double negative, which is, of course, the exact same meaning as the more people that have the right to strike, the better it is, which is how I feel. I sincerely believe that if you're going to have a good result and you're going to have people's voices heard on their own behalf when you're searching for that good result, the very best way to do it is to negotiate. If you're going to negotiate, there are certain elements that are required, and one of those elements is to have equal power between the parties negotiating, or more or less equal power. Pure equality is probably hard to achieve, but some manner of equality simply because, otherwise, if that's not the case, then one party with less power isn't actually negotiating; they're begging skilfully, or not skilfully in some cases. Nonetheless, it's not a real negotiation unless both parties at the table have some leverage. I believe that is what essential services legislation is intended to achieve.

Now, under the previous government, the PC government, there was legislation in place, that is still in place now, where the vast majority of employees whose paycheques are funded through the Alberta government either directly or indirectly – you know, through AHS or education or other means – don't have the right to strike. In fact, this is what's a little bit unusual about this legislation coming to Alberta compared to when it has come to other provinces. In most provinces when essential services legislation is put into place, fewer people have the right to strike because some are considered essential. They were all able to strike before, and this is done to protect the public in those cases. In Alberta's case, which is quite interesting, most of the employees already don't have the right to strike. This is very unusual compared to most provinces in Canada where this has happened in that a lot more employees will have the right to strike than do today.

Mr. Speaker, I will repeat this for the record and to be perfectly clear: I think that's a good thing. I think when that is the case, without the right to strike, negotiations have a built-in default from day one, and the built-in default is that you go to arbitration. So we're going to go in, go to the bargaining table, and see what we can get. If we don't like it, we can throw up our hands and say, "Let's go to arbitration, and we'll see what those folks give us," or on the government side, "We'll see what those folks make us pay or do or whether they take our side or not," whereas with a genuine, across-the-bargaining-table negotiation I think it really requires not one side or the other but both sides to take a serious look at what they should be asking for and what they should not be asking for.

Now, there's a saying in business that I think applies to government and probably applies to family life and everything else, too, and that saying is: when the money runs out, then you have to think. Mr. Speaker, if you can always spend more money, you can solve lots of problems simply by paying for the solutions without really having to think, in my view, hard enough about what's the best solution, not just the solution you can get away with. I think essential services legislation, if we do this correctly, should take us to that place. It should take us to a place where when the employer and the employees are sitting across the table negotiating, they are truly thinking about everything, not just thinking about a number that they think the arbitrator will or will not give but, rather, thinking about that number – of course, numbers matter when you're talking about people's paycheques. But I really think there'll be a more sincere conversation about working conditions, about conditions that keep employees safe and healthy and also about what's a management decision and what's an employee decision.

In my view, too many of those decisions under an arbitration system – not every time, of course. But there are a lot of times where people think there's an attractive number on the table and they don't get to the nub of the working conditions and they don't get to the place where the employer and the employees can best work together and find a way to deliver best value to whomever you're doing the work for.

Delivering the best value has great benefits. It has great benefits, obviously, for the employer because they just get better value for the money they're spending. But, in my view, it gives better value to the employees, too, because it puts them in a position to negotiate for better job satisfaction. I don't know anybody that goes home and says to their husband, wife, son, daughter, mother, father: I went to work today and did the lousiest job I could do. Nobody says that. You know why they don't say that? Because it's not true. People go to work, and they do the best job they can do.

Under a proper negotiation part of the conversation ought to be and I believe will be in most cases about: how can I do a better job? How can we work better together? What is the fair rate of

compensation for that both in outright pay and in benefits, time off and all the other things that go around that? Only through negotiation, in my opinion, can you actually get to the best result because that takes work. It does take work. And when you've got the safety valve, where you can always throw up your hands when you're frustrated – because people that negotiate sometimes aren't all that easy to deal with, Mr. Speaker. We know that in this House. We're not always easy to deal with. Sometimes it's easy to throw up your hands and say, "Send it to the arbitrator," or throw up your hands and say, "We're the majority in the House, and we're going to do what we want," or throw up your hands and say, "We're the minority over here, and the government is going to do what they want anyway." I think the way you get to the best result is by negotiating and working it through to the best logical ends that you possibly can.

4:50

This does modernize, as has been said here, two pieces of legislation. It certainly codifies the Supreme Court's decision that people have the right to bargain collectively. It actually puts us in a position where the employer and the employees will negotiate on what's an essential service. I believe that's what the Supreme Court of Canada decision says has to happen, and I think we're bound to get a better result. There are going to be some interesting and probably difficult negotiations.

What's interesting is that when I was Labour minister and I started this process before the current minister was there, we talked to different labour groups – and the Member for Edmonton-Ellerslie will be interested – and we talked to some of the faculty groups that weren't allowed to strike. Interestingly enough, there was a mixed opinion. Some actually didn't want the right to strike because they thought they were treated pretty well, and other ones wanted it very much. I believe they were both sincere. I'm not saying anyone was right or wrong. Everybody has the right to express what they think is in their best interest. But we're going where we are.

I think I'm almost out of time. I actually have quite a bit more to say. I will say this, Mr. Speaker, that we will have some questions as time goes on about the power of the commissioner, where the checks and balances will be for that role as described in the legislation. We will have to talk about replacement workers and the changes that go beyond the Supreme Court decision. I look forward to getting to those discussions. I look forward to asking questions. As I expressed to the Labour minister earlier today – she was gracious enough to say that she would try to accommodate that – I'm hoping to get an opportunity to sit down with her before we actually make a decision in this House on this and talk about a couple things in the legislation. I'm grateful for the fact that the minister said that that could probably be accommodated. That's something that I appreciate.

I would be remiss if I didn't say that while we disagree with a lot of things the government does, getting advice from Andy Sims is a good idea. Andy, if you're listening, you know you and I don't agree on everything, but you are one of the smartest people I've ever met on labour issues. If there's any little bit I know about it, he taught me four times that much, and I only remembered 25 per cent. I think he's not a bad person for the government to get advice from. Again, while I would say that I don't agree with them on everything, boy, he has a lot of things figured out that most other people in this world do not have figured out when it comes to labour legislation. I feel pretty confident that I'm right in saying that.

Mr. Speaker, I'll stop right now. I'm sure I'll be on my feet again before this debate is over. Again, on the face of it essential services has to be done. We don't know whether it will save the government money or cost the government money. We actually don't know

whether it will get the employees better wages and working conditions. That, as it ought to be, will be the subject of negotiation, which I think in my heart is the right way to sort things out between human beings, to sit down in the same room at the same table at the same time with a pot of coffee or something and actually talk about what your interests are, both mutual and in conflict, and just sort it out.

Again, I'll stop. There are some few issues that we need to talk about and maybe have some amendments on this legislation before we're done, but at the core of it, Mr. Speaker, going the essential services route is the right thing to do. I would implore all members on all sides of the House to make a big effort to get this right. There are 220,000 or so people – not jobs but people – in Alberta who get paid out of the government purse, and we owe it to them to get it as right as we can.

Thank you.

The Speaker: Thank you, hon. member.

Are there any questions for the member under 29(2)(a)? The Deputy Premier.

Ms Hoffman: Thank you very much. I would hate to miss the opportunity to ask you. Mr. Sims lives in my constituency. I see him from time to time on the street. What's one of the biggest life lessons he gave you in your time you worked together?

Mr. McIver: Life lessons? Well, Mr. Speaker, I'm not sure if he gave me life lessons. He surely gave me labour lessons. I think that I've said some of those. You've got to be careful because you can really change the balance of power. You can put a whole bunch of people out of business and put a whole bunch of people in business. I suppose that sounds good if you're putting people in business, except for the fact that you can't get the employees you need if you're the winner because if you're in a jurisdiction where the labour law is out of balance, you actually can't get the employees to come in and work there. So the biggest lesson? Be careful. Don't think that any of this is easy or simple.

The Speaker: Under 29(2)(a), the Member for Edmonton-Manning.

Ms Sweet: Thank you, Mr. Speaker, and thank you to the member for your statement. I'm just curious, going back to the fact that you were a past Labour minister and that you've worked in the area. We've had a lot of conversations here in the House around salary freezes and trying to freeze the salaries of the front-line workers. I'm just wondering from your experience if you have any learnings around how negating the bargaining process and trying to freeze salaries when you're not in an actual bargaining period would potentially impact the relationship with the public servants.

The Speaker: The hon. member.

Mr. McIver: Thanks, Mr. Speaker. Well, I think the last part of the question is probably the easiest one to answer, that if you try to change the rules of an agreement before the agreement is done and you try to change it in such a way that it's more negative for the party you're dealing with, it's probably not going to help the relationship very much at all. In fact, it's probably going to be harmful. Again, I'll go back to my core belief that the best deals are negotiated, not imposed.

That's really the basis of a lot of the legislation that we have, actually, even the legal legislation that we have, even within the Human Services ministry, to provide equality of power between people dealing with each other, whether it's spouse and spouse or husband and wife or parent and child or senior and caregiver or

whatever it is, to make sure that there is some balance there. When there's an agreement made, you know, and it gets changed, then that's a change from the established balance of power and influence.

I'm sure there are times in life when difficult situations make it tempting to go there and pull that lever, and I understand that, but it's more ideal – much, much more ideal – in my opinion, to negotiate, to make an agreement based on both sides having some relatively equitable leverage, and then live with that agreement. Life doesn't always allow that, but that's way better than the alternatives, in my opinion.

The Speaker: Any other questions or comments under 29(2)(a)?
Hearing and seeing none, the Member for Lethbridge-East.

Ms Fitzpatrick: Mr. Speaker, I feel I absolutely must speak in support of Bill 4 given my personal history as a former regional executive vice-president – that's REVP – and a member of the senior executive of the Public Service Alliance of Canada, which represented about 180,000 members and was the union that represented me for 32 and a half years as a public service worker. I was also a union president and steward as a volunteer in two separate locals. During that time I had the opportunity to work on essential services agreements for our members on a number of occasions.

First of all, I must reiterate what a number of my colleagues said, and that is that under the Canadian Charter of Rights and Freedoms Canadians have the right to unionize and a right to collective bargaining and to strike. Essential services agreements provide protection to the public while also balancing the employer and employee rights under the collective bargaining process. Union members are workers, citizens, and taxpayers, and I believe that they care about what happens in this province. I have participated in many, many strikes during my previous career as a public service worker. Just in case you didn't know, I was a union member.

5:00

In 1989 the welfare programs group, of which I was a member, were not identified as essential. The 1,250 members of this group across Canada went on strike. It had a profound impact on our department and the public. We were all parole officers. All of us recognized there should have been a number of our members designated as essential, not all but a significant number. Our department did not do this, and the public was at risk because of it. Every strike in which I was a participant was for many reasons, but first of all it was about respect. As a parole officer I was a front-line worker. No one ever wanted to jeopardize the safety of the public.

As an example, on September 11, 2001 – you should remember that date – we were on a strike line as members of the Public Service Alliance of Canada were officially on strike. As a parole officer my position had been identified for that particular strike as an essential services worker, and along with my colleagues I was in line to cross the strike line to go to work. We got word of the attacks on the World Trade Center, and as soon as it became known to us, our union nationally took down that strike line until the security risk was addressed. All of our members recognized the importance of providing essential services and what essential services actually are.

As an REVP I was the executive member on one of our bargaining teams. We came to the table to negotiate in good faith. As the team all had been or were front-line workers, we understood the need to have some employees identified as essential. In terms of protection of the public we know that that has to happen. We

knew when the essential requirement was for a few positions or many positions. We knew because we were the front-line workers who provided protection to the public.

Having negotiated what work positions needed to be essential, this provided the balance between both the employer and the employee, and it balanced that with the protection of the public in mind. It also brought a level of respect and credibility to the process that was missing when essential services agreements were not in place. When these agreements were in place, bargaining team members on both sides of the table felt that they could actually really negotiate because they recognized that both sides had some tools if an issue could not be negotiated.

I support this bill, and I urge every one of my colleagues on both sides of the House to also support it. Essential services are – I can't even express to you how important they are. The public needs us to have this agreement, and so do our employers and our employees. Please support this bill.

Thank you.

The Speaker: Hon. members, are there any questions for the Member for Lethbridge-East under 29(2)(a)?

Seeing and hearing none, I would call on the Member for Calgary-Elbow.

Mr. Clark: Thank you very much, Mr. Speaker. It is an honour to rise and speak in support of Bill 4. [some applause] Well, thank you. I'll take that. Absolutely, yes. There's a lot to like in addition to the obvious, you know, keeping up and adhering to the Supreme Court ruling, which is nonnegotiable, of course, and not optional.

The previous comments by the Member for Calgary-Hays I think are very well made, that this legislation puts an emphasis on negotiation. I want to recognize those comments and the experience that backs those comments and brings what I think is a very welcome nuanced view of this issue. There is, I think, an opportunity here for us not just to work together in a spirit of collegiality for the sake of doing that but, ultimately, in recognition that there is perhaps a better way to get things done. The best way to do that is at the bargaining table, where open conversations, perhaps hard bargains, can be driven both ways but done so in a spirit of openness and negotiation.

I also, I guess, want to just build on the comments from the Member for Lethbridge-East. I think it's very timely, and I'm glad that you had the opportunity to go immediately before me because one of the things I like about this legislation is section 95.45. Should there be a situation, should something change – I think the perfect example is what you talked about, the 9/11 scenario – should workers who have not been deemed essential services be on strike and something changes – there's an emergency situation – there is a provision, section 95.45, Significant Change in Circumstances, which allows for application to be brought to deem certain workers and certain services to be essential given a change in circumstances. That's the sort of flexibility that I think we'd all like to see in legislation, and it's a very good example here in this bill.

I do have some questions about the bill. There has been some talk about the power of the commissioner. You know, I do agree with the Member for Edmonton-Manning that – my concerns about the commissioner are not so much the power that the commissioner has. Frankly, someone ultimately needs to be that ultimate arbiter. Somebody needs to decide at the end of the day. What I like is the umpire model, where both sides agree to an umpire and allow that umpire to then make that decision.

The question I have about the commissioner – I'm not even sure I would go so far as to call it a concern, but it is a question I have. It's a niggling question that I have about any sort of appointment

done by Executive Council. Who exactly is appointing the commissioner? While I don't question this government's integrity in choosing someone who will be a truly neutral arbiter, let's just say that perhaps in future governments there may be a risk that that person is weighted in one direction or the other.

I ask that as a question and raise that as an issue not so much because I have a firm answer to exactly how we address that. Of course, it's not a position necessarily, I think, that we would expect to report to the Legislature. I think we need to let the management of the public service ultimately run this, and this Legislative Assembly certainly can't micromanage every single issue. It is just something as I read the legislation and I thought about the model of the umpire. Again, liking very much that we have a scenario where both sides agree who that umpire will be, is there some way we could incorporate that same model or something similar when we're deciding who the commissioner may be?

There's been a lot of discussion about replacement workers and whether or not, in fact, that is strictly within the purview of meeting what the Supreme Court laid out. I suppose that in any legislation there's always a risk of overreach. When I look at that replacement workers provision, I do worry that perhaps that feels a bit different. I've looked at other provinces. British Columbia and Manitoba both have prohibitions on replacement workers in one form or another although I believe that those prohibitions were put in place through a separate process, through separate amendments to labour relations legislation, and not as part of those provinces' efforts to meet the Supreme Court ruling.

Having said that, I just raise that simply again as a question, as to whether or not, in fact, that's an absolute requirement to meet the Supreme Court ruling. You know, perhaps that's something we can discuss further. Maybe even amendments will be brought at some point although I don't think by me. That's something we may have an opportunity to further discuss.

Those are certainly not issues that will cause me to vote against Bill 4. I think it's an important piece of legislation. With that, I will return to my place, and I thank you, Mr. Speaker, for the opportunity.

5:10

The Speaker: Are there any questions or comments with respect to the Member for Calgary-Elbow under 29(2)(a)?

Hearing none, I would recognize the minister of environment.

Ms Phillips: Thank you, Mr. Speaker. I rise, of course, to speak in favour of Bill 4 for a number of reasons. I think, first of all, I'll see if I can speak without notes here and recall all of the things I apparently used to know about labour legislation. Of course, as my friend the Deputy Premier and Health minister indicated, she thinks about this legislation through the lens of the people in hospital beds and the people that she is sworn to ensure get the services. For me, I have spent less of my time in the last 10 months thinking about labour relations and more time thinking about critters and air, land, and water.

So I'll return to a job I once had with the Federation of Labour. As part of that job I used to teach labour history, Mr. Speaker, and in fact a couple of my students are in this House now. The hon. Member for Banff-Cochrane and the hon. Member for Peace River both had to endure my lectures at labour school on the topic of the Public Service Employee Relations Act and the prohibitions on the right to strike. We'll see if we can recall some of that information as we go along here, and these poor people will have to endure yet another Phillips lecture on the matter.

I think it's useful to sort of back up and think about why the Supreme Court ruled in the way it did in the SFL case. The hon.

Member for Calgary-Hays, the leader of the third party, is quite right. These are complicated matters. That is why, you know, PSERA under Lougheed was passed, I believe, in the late 1970s and essential services regimes have been introduced in various provinces through the 1990s, various legal interventions that were found to have overreached. Of course, it took that long to work its way through the court system, resulting in the SFL case.

It's useful to think of why the SFL struck down essential services legislation in the Saskatchewan case. The reason is that the Charter guarantees us the right to freedom of association, and that right, Mr. Speaker, extends to the right to join a union. Now, we don't join a union for no purpose at all. The right would have no real effect if the act of belonging to a union did not result in a meaningful process for collective bargaining.

That is the nub of the SFL case, that what a government may not do is interfere in that right of free association that we have as individuals. As part of that, the substantive exercise of that right is that it must result in something. What was found was that the result of impairing collective bargaining, Mr. Speaker, impaired our right to free association. Collective bargaining as a right, then, its foundation, is the right to withdraw labour. You do not have a collective bargaining process that is meaningful if workers do not have that right.

As the Member for Calgary-Hays indicated, labour relations is a balance. We know this, all of us who have experience with the labour relations environment. There is always a careful balancing. Labour relations boards and others are always interested in this balance. It should be noted that in the SFL case and in the legislation here there must be limits on the rights of employers to impose a lockout, Mr. Speaker. It's both strikes and lockouts. It's not simply the withdrawal of labour, but it is also that there must be reasonable limits on the employers' exercise of simply locking the doors as a way of influencing the bargaining process.

So, Mr. Speaker, that's where the decision to strike down the essential services laws in Saskatchewan came from, and it's where the Alberta decision to reject elements of the Public Service Employee Relations Act came from as well. You know, this was a long process, and Alberta is already overtime with respect to us having appropriately balanced essential services legislation in place. That's why we need to move forward with some haste and not further mire this process in various committees and so on.

Now, I think another really important piece of this is how thoughtfully the minister and the minister before her proceeded in this matter, again with an eye to the careful balance of labour relations and the appreciation, certainly on our government's part, that a careful balance of labour relations leads to appropriate negotiated outcomes. That means, Mr. Speaker, as an extension of that, that it is not appropriate to rip up public-sector contracts, that it is not appropriate to bargain in the media. What is appropriate is to have a regularized, rationalized legal system in which we resolve bargaining between employers and employees.

This legislation comes on the heels of some thoughtful consultation on the part of the minister involved. It also comes as a result of expert advice given to us by Andy Sims, for which we are grateful, quite a robust process given that we also have some exigencies of time, that we must have this piece in place in order to conform with the courts and the law.

Now, I talked about strikes and lockouts, and this is not just about a right to strike. It is also about an appropriate balance for employers, in this case and in many cases the public sector or, in fact, government, to have appropriate steps for a lockout as well. There is a balance here. There are employers and employees. So that's an important point.

I want to talk a little bit about what compulsory arbitration resulted in under the previous essential services rubric, where almost everyone who was very clearly not deemed essential was banned from exercising a right to strike. You ended up at compulsory arbitration, and that was not good for either employers or employees. It was not good for workers, and it was not good, necessarily, or in the public interest for government. The reason for that was that compulsory arbitration forced the hand, and it didn't require anyone to engage meaningfully in negotiation. It just simply pushed everything into the red zone immediately. "Okay. Fine. We can't agree. We're going to compulsory arbitration."

That is not in the public interest. What's in the public interest is for worker groups to understand the current situation facing government and for government to understand the facts that, you know, it may be that in the public sector we have had years of austerity, of cuts, and of devaluation of the important work that public-sector workers do, the majority of whom are women, I might point out.

You know, there is an appropriate balance here that needs to be struck that was not reflected in a compulsory arbitration process. You know, usually arbitration results in higher awards to unions. Unions were happy to go to arbitration quite often. This will ensure that we have a better balance and perhaps a consideration of more of the nonmonetary pieces and so on; in other words, a regularized labour relations environment that prevails in every other mature jurisdiction. That is what we will end up with with the passage of this legislation, which, I'm very proud to say, strikes the right balance.

5:20

On this matter, Mr. Speaker, of its breadth, the fact of the matter is that without some consideration for how replacement workers might be dealt with in an unlikely event of a strike or lockout, there is an impairment of collective bargaining. That is just a simple fact. If the withdrawal of labour does not result in some kind of movement in negotiations, then you, again, have an impairment of collective bargaining. That's why we see similar language in legislation in other provinces.

I want to talk a little bit about what it means to impair collective bargaining and why collective bargaining is so important and why the courts have seen it as a fundamental right, a Charter right, of all individuals to free association and therefore everything that accrues to us from that, what it has meant in practical terms, in substantive terms, the substantive equality that that Charter right confers. Of course, we have legal equality, and we have, then, the substantive outcomes for people. What does it mean on the ground for the women and men in this province?

I would argue that what collective bargaining has done, Mr. Speaker, particularly for women, is that it has led to better pay equity. Women have been able to bargain in family leave. Women have been able to bargain sexual harassment and other components into collective agreements. The other thing that women have been able to do under the pay equity piece – and this is why it's important – is that they've been able to ensure that work done by women does not fall behind on the wage grid as it might do in the private sector, where there is an absence of collective bargaining. So you do see a public-sector wage premium for some work done in hospitals, for example, like laundry and maintenance and so on. Why? Because women have been able to democratically bargain for that, and it has resulted in better wages and a better life for families across this province.

I will remind the House of other things that have been bargained for, in fact through a strike, and that is that Canadian postal workers back in the 1970s, a predominantly male membership, went on

strike for maternity leave, Mr. Speaker, and then that was bargained in. You know, that led the way in this country for an appropriate approach to balancing work and family life that all women and men now enjoy, and that is a result of collective bargaining and that fundamental human right.

A couple of other pieces are important that have been bargained in in the public sector, and again this is on the nonmonetary, Mr. Speaker, and shows the value of bargaining. Joint worker-employer health and safety committees are something that keep people safe. They ensure that there is a negotiated process for workplace hazards where both parties can sit down and – again, to the Member for Calgary-Hays, who recognizes this – seek that balance for safety and ensure that safety on worksites doesn't balloon into an injury or, heaven forbid, a death. They have been proven to save lives, and that's the kind of thing that gets bargained in.

Another important piece that is now becoming bargained in is discrimination based on one's gender identity or gender expression. Those are the kinds of reasons why this right is so important. I think it's important to take a step back and understand what the court has underlined and what this process delivers in terms of a good life for families and workers across this province and the other Canadian provinces, Mr. Speaker.

The Speaker: Hon. members, are there any questions or comments with respect to the minister of the environment under 29(2)(a)?

Ms Jabbour: Well, as a former student I just have to say that that brought back some wonderful memories. I thoroughly enjoyed learning about labour history. I think what you've helped us understand here today is that by learning the context and understanding where a piece of legislation comes from and why it has developed, it can really give us insight that's absolutely essential. I really want to say that I appreciated that you shared that with us. When you mentioned the laundry workers, again, for me that brought back thoughts of, you know, one of the lowest paid professions, one of the most vulnerable groups, yet they advocated for huge change here in this province. I'm very proud of the work they did, and I'm very proud that we can bring forth this legislation. Thank you for reminding me of all of that.

I think that was all. I don't really have a question, just a comment.

Thank you.

The Speaker: Any questions or comments under 29(2)(a)?

Hearing none, I would recognize the Member for Red Deer-South.

Ms Miller: Thank you, Mr. Speaker. I'm rising today to speak in favour of Bill 4, An Act to Implement a Supreme Court Ruling Governing Essential Services. This bill simply modernizes Alberta's labour laws to reflect the rulings of both the Supreme Court of Canada and the Court of Queen's Bench of Alberta. The courts have been very clear. It is the right of all Canadians to join a union if they so choose and to collectively bargain, which includes a right to strike.

Despite what some people may think, not all strikes are about money. More often than not a strike is about work conditions. Prior to my election to this House I was involved in the labour movement for many years, and in that time I have walked many picket lines. My first picket line, though, was in 1969 in B.C. I was nine years old. The meat cutter strike wasn't just about money. It was about safer work conditions. These people were lifting heavy carcasses, causing back injuries. They had no PPE, personal protective equipment, which resulted in broken bones from things like dropping a frozen carcass on your foot. A 400-pound carcass on the

foot crushes toes. They lost fingers because they didn't have meshed gloves, and they weren't allowed them in their bargaining agreement. These were the most important issues that they were fighting for, and everyone has the right to fight for these kinds of issues.

This bill will enable government of Alberta employees, nonacademic staff at postsecondary institutions, employees of Alberta Health Services, and others the right to fight for better work conditions. Working double shifts, working short-handed: these are some of the reasons they need not only the right to bargain collectively but the right to strike. I encourage all members of this House to join me in support of this bill.

Thank you.

The Speaker: The Member for Banff-Cochrane.

Mr. Westhead: Thank you very much, Mr. Speaker. I think we've had an excellent conversation here this afternoon in our debate on Bill 4 in second reading, so with all the progress that we've made and the things that we've learned, I would move to close debate on second reading of Bill 4.

[Motion carried; Bill 4 read a second time]

The Speaker: The Deputy Government House Leader.

Mr. Bilous: Yes, Mr. Speaker. Seeing as we've made some great progress this afternoon with second reading of this very important bill and that it has now moved into committee, I move that we adjourn until 9 a.m. tomorrow.

[Motion carried; the Assembly adjourned at 5:29 p.m.]

Table of Contents

| | |
|-----------------------------------------------------------------------------------------|----------|
| Introduction of Guests | 337 |
| Members' Statements | |
| Transition from Coal-fired Energy Production | 338 |
| Emergency Medical Dispatch Services in Calgary | 338 |
| LGBTQ Seniors | 338 |
| Northern Alberta Travel Issues | 339 |
| Safe Harbour Society | 348 |
| Megan Wolitski | 348 |
| Oral Question Period | |
| Interprovincial Trade | 339 |
| Energy Policies | 340, 342 |
| Organ Transplantation | 340 |
| Environmental Monitoring and Reporting | 341 |
| Palliative Care | 341 |
| Municipal Grants in Place of Taxes | 342 |
| Rural Health Services | 343 |
| Provincial Cash Management | 343 |
| LGBTQ Seniors | 344 |
| Service Dogs | 344 |
| Tobacco Recovery Lawsuit Investigation Review | 345 |
| Tourism Strategy | 345 |
| Wildfire Season Preparation | 346 |
| Maintenance Enforcement Program Privacy Review | 346 |
| Infrastructure Capital Funding | 347 |
| Tabling Returns and Reports | 348, 349 |
| Tablings to the Clerk | 348 |
| Orders of the Day | 349 |
| Government Bills and Orders | |
| Second Reading | |
| Bill 4 An Act to Implement a Supreme Court Ruling Governing Essential Services | 349 |

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