



Province of Alberta

The 29th Legislature  
Third Session

# Alberta Hansard

Tuesday evening, May 30, 2017

Day 41

The Honourable Robert E. Wanner, Speaker

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

Third Session

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New Democrat: 55      Wildrose: 22      Progressive Conservative: 8      Alberta Liberal: 1      Alberta Party: 1

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## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, May 30, 2017

[Ms Sweet in the chair]

**The Acting Speaker:** Good evening, everyone. Please be seated.

### Government Bills and Orders Second Reading

#### Bill 17

#### Fair and Family-friendly Workplaces Act

[Debate adjourned May 30]

**The Acting Speaker:** Are there any members wishing to speak to the bill? The hon. Member for Cardston-Taber-Warner.

**Mr. Hunter:** Thank you, Madam Speaker. I rise to speak to Bill 17, the Fair and Family-friendly Workplaces Act. I'm struck by the sheer volume of the bill. This is huge. There's a lot of stuff in here. In fact, a phone book comes to mind when I think about the size of this. Where to begin? We have card check certification, salting and MERFing, labour changes for farm and ranch workers, first contract arbitration, essential services, the Rand formula, enhancement of powers to the Labour Relations Board, arbitrations, duty of fair representation, international loopholes, and those are just the labour relations changes. There's no way that a perfectly reasonable government would create this legislation in 36 days of consultation.

I met with stakeholders. I met with the Canadian Franchise Association. When we explained to them what was going on and what was happening and how fast the rules for running their business were about to change, the looks of horror that crossed the faces of the small-business owners were ones of shock that they had been skipped over as a worthy body for stakeholder consultation. The NDP missed these small-business owners. The consultation was incomplete. Sadly, the line of scrimmage will not move. The NDP will not get a second or third down for a touchdown; they get unlimited downs until the clock runs out.

As such, I would like to move an amendment. [interjections]

**The Acting Speaker:** Hon. member, just wait till I see the copy of the amendment, please.

While we're waiting, just a reminder, everyone. Hon. members, just a reminder that we are in second reading, so if we could please be respectful to all the speakers in the House when they're speaking. Please go ahead.

**Mr. Hunter:** Thank you, Madam Speaker. I move that the motion for second reading of Bill 17, Fair and Family-friendly Workplaces Act, be amended by deleting all of the words after "that" and substituting the following:

Bill 17, Fair and Family-friendly Workplaces Act, be not now read a second time because the Assembly is of the view that the government has not provided Albertans enough time to be consulted on the specific changes being proposed and, further, has not provided assurances that a full economic impact analysis has been completed detailing any potential negative impact on the economic well-being of Albertans.

Now, Madam Speaker, let's take these two issues and deal with them one at a time. I contend that Bill 17 has not provided Albertans with enough time to be consulted on the specific changes. I know that not enough time was spent, and I know that not enough of the right people were spoken to. Thirty-six days in Alberta to change a stack of laws like this; Ontario is spending two years to do the same.

Given that the NDP refused the prior amendment to send this bill to a legislative standing committee, which would have fixed this lack of consultation problem, that tells me something.

That tells me that the NDP are trying to hide something from Albertans. In that way, they can say, "Oops," "Surprise," or "Gotcha" on the unsuspecting business community. It has nothing to do with the clock of the Legislature. I know that many in the business community are watching. They are reaching out and talking to people they haven't talked to in a long time, and they are saying things like: "I have a chain of retail stores, and I'm going to have to lay off staff and close stores because the labour changes are the last straw. We swallowed the minimum wage increase. We took the tax increase, and then we took more increases with the carbon tax. There's no profit anymore. Now these changes will force me into bankruptcy unless I lay off staff and close stores." There you have it, Madam Speaker: one business owner. The NDP tried to help the employees with a higher minimum wage and changes to the Labour Relations Code. Now they're going to be put out of a job. The NDP hurt the people that they try to help. Those people end up remaining dependent on the state for welfare and benefits, and the cycle perpetuates and repeats itself, all because the NDP failed to consult long enough or with the right people.

Now, the other part of this amendment is that the NDP did not provide assurances that a full economic impact analysis has been completed detailing any potential negative impacts on the economic well-being of Albertans. There has to have been some measure of economic impact analysis done to measure these proposed changes on the Alberta economy before they were proposed. To do so blindly is irresponsible, Madam Speaker. The government has an army of public servants to measure and evaluate the economy. It is quantifiable. Changes to the economy can be quantified.

As I mentioned in the tale of the retailers, whether it's the carbon tax, the electricity changes, the tax hikes, the minimum wage, the government either refuses to do impact assessments or ignores the evidence in favour of ideology. Continually this NDP government tries to settle ideological scores at a time when Alberta's economy cannot absorb it. They are sacrificing jobs to purchase votes. But you know what, Madam Speaker? Albertans are not buying it.

Clearly, the government intended for very little discussion to happen because they know this bill aims to please their big labour pals and not the rest of Albertans. We have a system of democracy in this place, and this government continues to disregard the importance of that process in crafting workable legislation for the benefit of all Albertans. It is contemptuous, Madam Speaker.

Alberta's current union certification system has resulted in 30-plus years of relative labour peace and the highest wages in the nation. I want to reiterate what I just said there: we have the highest wages in the nation. Something must have been done right. Throwing out that system without consultation is, pure and simple, wrong.

How wrong? Let's talk about salting. Bill 17 removes the uniquely Alberta protections against salting in the first 30 days after finding employment with an employer. Under the NDP you can hire an employee, and the next day that employee can start on a unionization drive. Thank you, NDP, for disturbing employer-employee peace with salting.

When unions use funds to unfairly help unionized contractors gain an advantage over non-unionized contractors when they bid for jobs, they use market enhancement recovery funds. The acronym is MERFs. Bill 17 removes the ban on MERFs. The NDP's experts insist that the ban never really worked. Then why change it?

Under current Alberta law the employer can suspend the remission of union dues to the union in cases of an illegal strike.

The NDP are taking this off the books. Bill 17 will now allow union organizers access to remote work sites upon permission from the labour board.

There you have it. The very same people the NDP think they are helping with a higher minimum wage and a better Labour Relations Code are now going to be out of a job. The NDP hurt the people they are trying to help, and those people end up remaining dependent upon the state for welfare. The cycle perpetuates and repeats itself, and Alberta no longer stands out as a beacon with the Alberta advantage, all because the NDP have failed in their duty.

For these reasons and many others, I move the amendment to not read Bill 17 a second time. More consultation with stakeholders is needed and an economic impact analysis is essential to make sure that we get this right.

Thank you, Madam Speaker.

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

Are there any members wishing to speak to the reasoned amendment? You would like to speak to the amendment? The hon. Member for Lac La Biche-St. Paul-Two Hills.

7:40

**Mr. Hanson:** Thank you, Madam Speaker. Just a couple of things. You know, we've been basically preached to here for a couple of days about: how can you possibly be against a bill that supports workers' rights and people's rights to take leave if they have a death in the family or a sick child or a missing child? Then I look at the coming into force of the codes. Interestingly enough, the employment standards won't come into effect until January 1, 2018, yet the sections that deal with labour organizations and unions are coming into effect in September. So if the labour standards were the most important part of this bill – there are sections on underage workers that come into force on proclamation. The section on union certification comes into effect September 1. Yet the all-important labour relations portion, that supposedly protects people's rights and is supposed to be the big improvement and why this bill had to be brought in in such a hurry, doesn't come into effect until January 2018. It doesn't make a whole lot of sense to me when we've listened to all the rhetoric coming across from the other side.

When I put forward my original amendment to put this forth, I had mentioned the fact that this kind of smacks of pandering to unions and organized labour. I talked about how \$42,000 was donated from union donations to our Premier for her run for leadership, that for the Member for Edmonton-Ellerslie over 50 per cent coming from union donations, for the Member for Edmonton-Calder, our Minister of Education, 60 per cent for his leadership. Sixty per cent. So much for taking big dollars and unions out of politics. Come on, folks. If you think Albertans are stupid, you're making a mistake.

**Mr. Nixon:** Albertans aren't stupid. Yeah, he's giving a thumbs-up.

**Mr. Hanson:** Yeah, thumbs-up. That's all stuff that's wonderful. We can put that on bulletin boards during the next election. All that stuff: it's going to be great.

You know, getting further down to it, Madam Speaker, we've talked about this before. The Member for I believe Calgary-Hays was chastised for actually just asking a question that could have possibly affected his wife's company and her involvement in it. We had 13 per cent of our caucus recuse themselves during the debates on new-home buyers' protection because they happen to be partners or have a wife that's in a company that builds a couple of houses a year. Now, we have all these members sitting here that are union active. Some of them have been business agents; some of them have

been presidents. They're getting heavy, heavy donations from unions to run their campaigns, yet they can stand here in this House in front of Albertans and claim: oh, we're just doing this for the poor folks that have a sick child at home so they can take time off.

Well, I worked a long time in the construction industry, and I did work for a time for a union for about nine years. Then, when we moved up north, I had to leave that, and I worked for the private sector up there. I'll tell you that with a lot of those companies up there, I mean, everybody knows everybody. Their kids go to school together; they play ball together. Whether you're the owner of the company or an employee, whenever there was a serious incident where somebody was sick, those companies banded together. They helped out. They did fundraisers.

I remember one incident where a worker was at work and his kids were at home with his mother because both parents worked. They were both heavily involved in the oil and gas industry. Grandma was babysitting the kids. She was out for a walk and the little three-year-old girl fell through a hole into a well. When the call went out to that company, they not only sent that man to where the accident had occurred, but half the company went there with their equipment, too, to help out. When the little girl was saved that day and brought out, she had some trauma, of course, and the dad and mom were both sent to Edmonton to be with their kid at the Stollery. There was no question about whether their job was going to be saved. The topic never even came up.

Now, if you're having issues like this in some of your union organizations and you need legislation to force people to have recognition, to protect people's rights, well, then, I'll buy it. But why not proclaim it? Right? We could do this today. But you won't. You're going to pass it off. It's not going to come into effect until January of 2018, but all of your union-protecting stuff is going to come into effect in September. What does that say about you folks? It says a lot about your priorities.

Most of this legislation is a joke. It's hiding behind protecting sick kids and people's right to go home and be with their sick kids. I think it's disgusting. It definitely shows, just in the way you've picked your proclamation dates, where your real priorities are as a government, and that is shameful.

I will end my arguments on that. I think that we need to push this bill to committee, where we can expose more of what this is actually all about.

**An Hon. Member:** Please do.

**Mr. Hanson:** Absolutely. Would love to.

Aren't you the one that was hollering at someone who was hollering at you while you were speaking? Funny how the shoe doesn't fit on the other foot, right?

Madam Speaker, this bill needs to be pushed to committee, where Albertans can come and have their say, where businesses can come and have their say. Like I say, if you're having these kinds of issues in your union organizations, then, by all means, put legislation in to force them into complying. But I can speak for the majority of the private sector that I've worked for. In a case like this, where one of their employees has an issue, whether it's a family member that's passed away or is critically ill, those companies get behind their employees. They not only give them the time off that they need to deal with it, but they support them financially. For this government to stand up and poke at the entire industry and the entire private sector because of incidents that have happened and, you know – I don't know all the details of those incidents, but I can tell you that that is not a fact in the industry. It is not a fact here in Alberta. It's shameful that we actually need legislation to make it so.

Thank you.

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

Standing Order 29(2)(a), the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Well, thank you, Madam Speaker. Thank you to the member for his speech on this important amendment. I found it very interesting. One of the core areas I wouldn't mind if the hon. member would take a little bit more time to explore is around three concepts associated with the steps that this government has taken with this bill and the reasons for why this should go to committee and there should be more consultation.

The first is that the government indicates that because of some very serious compassion issues that are in this legislation, that are good, as the hon. member who was just presenting made very clear, it's very important that we get this through before the end of spring session. Now, Madam Speaker, as you know, we agree and have made that very, very clear. In fact, we will pass all of those issues tonight if they would like or tomorrow, immediately get them through the House and go on. But the government still has not taken us up on that offer and continues to keep it tied to other issues that they have not consulted Albertans on, which is troubling.

The second issue is the need for this large hurry that the government is putting forward because of the compassion issues that are involved with this legislation. The member touched on this, Madam Speaker. Maybe you don't realize it, but the government is not intending to bring this in till January of next year. Why you couldn't take time to consult over the summer if you weren't going to bring the bill into effect in January seems a little – you know, I think that needs to be . . .

**An Hon. Member:** Disingenuous.

**Mr. Nixon:** Yeah. Disingenuous, for sure.

. . . explained in more detail by the government. They haven't answered that. I'd be curious to see what the hon. member thinks of that, what he thinks his constituents would think of that.

Also, Madam Speaker, when you bring up the fact that the government brought this in what is expected to be the last week or week and a half of this sitting in the spring, if this was so important – and there are things within this bill that are definitely important. I guess the question is why the government waited till the last minute to try to ram things through.

7:50

Now, Madam Speaker, I don't have to tell you. You know. You've been here as long as I have, and you've seen some of the other behaviour, like Bill 6 for example, trying to ram it through before Christmas and the consequences that came from that to our communities. So I'd just like to hear from the hon. member a little bit more on how he thinks his constituents feel about the fact that the NDP is talking out of both sides of their mouth on this issue.

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

The hon. Member for . . .

**Mr. Hanson:** Lac La Biche-St. Paul . . .

**The Acting Speaker:** . . . St. Paul-Two Hills.

**Mr. Hanson:** For the time being. You have to joke about it.

Well, thank you, Member, for the question. You know, I was a little confused about the whole issue when we first started talking about this bill because we all agreed on all sides – I think every party in the House here agrees – on the importance of the compassionate leave portion and the standards, making it fair and equitable and putting it into legislation. Again, like I say, I don't

know which companies are involved, but having to have legislation like that to protect a family when they're going through a really tough time is a little bit shocking to me. I'm surprised that we don't actually already have that legislation on the books.

With that being said, I do now understand the rush. If it was just the compassionate portion of this bill that this government was so concerned about, being that they're not putting it in force until January of 2018, there would be plenty of time to consult over the summer. Unfortunately, a portion of this bill that deals with their labour negotiations, union certification, all the stuff that they're trying to hide behind compassionate leave, it comes into effect on September 1. So, of course, Madam Speaker, there is no time to go out and consult with Albertans because we don't sit until the end of October or early November, which would fail them completely on their real mission, which is to push through the union certification portion of this bill. I find it really unfortunate and disgusting that they will hide that behind compassionate care when the dates clearly show what is really going on here. You guys should all be ashamed of that, and I'm going to make sure that Albertans know about it. That'll be my job as opposition.

Thank you very much.

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

Are there any other members wishing to speak to 29(2)(a)?

Seeing none, just a reminder to all the members in the House that we're speaking to the reasoned amendment, which is to not be read a second time. The referral to committee has already been debated.

Are there any members wishing to speak to the reasoned amendment? The hon. Member for Grande Prairie-Smoky.

**Mr. Loewen:** Thank you, Madam Speaker, and good evening. I rise today to speak to the reasoned amendment to Bill 17, the Fair and Family-friendly Workplaces Act. The main point I want to touch on is that this government needs to realize that more consultation analysis is needed on their labour and employment changes. The economy is still in a precarious position, and these changes need to have proper consultation. If they are sincere in taking time to get this right, they will use the summer to receive meaningful feedback on all the changes and their combined ramifications.

This government is being disingenuous by lumping together all these changes to both the Labour Relations Code and the Employment Standards Code into one big omnibus bill. Clearly, the government intended for very little discussion to happen because they knew that this bill aims to please their big-labour pals and not the rest of Alberta. The contempt that this government has for the legislative process is unhealthy and, frankly, unacceptable.

There are a number of good ideas in this bill, and I want to begin by discussing a few of them before digging a bit deeper into the more nefarious aspects of this bill.

Maternity leave. While having a child is usually something to be celebrated, it is not all roses, and giving birth can and does take some time to recover. More important is how important those first months are for a baby and a mother to bond. Changes to maternity leave provide for 16 weeks of maternity leave versus the previous limit of 15 weeks. This is a step in the right direction and something that I support, and I suspect that most in this Chamber do as well. One additional thing that I am really happy to see with regard to maternity leave is the inclusion of leave for employees that experience a stillbirth or a miscarriage. This can be and often is a devastating experience, and this new leave is something, as I said, I am happy to support.

Parental leave. Changes proposed to parental leave will result in parents receiving up to 37 weeks of parental leave following the last

day of maternity leave. Coupled with the changes to maternity leave, this is a real, positive change for Alberta families.

Compassionate care leave. Strong, compassionate families are the bedrock of society, and approving compassionate care leave from eight weeks to 27 weeks is a positive step.

Death or disappearance of child leave. I cannot begin to fathom what it must be like to experience the disappearance of a child, and I am happy to see that this government is proposing changes to support parents through what can only be described as devastating. The proposal in Bill 17 would allow parents up to 52 weeks' leave if their child disappeared due to crime and up to 104 weeks if their child died as a result of crime.

Critical illness of child leave. Bill 17 will provide parents with up to 36 weeks of leave to care for their sick or ill child. One question I have on this particular topic – and it is possible that it's been addressed already, but, if not, I hope that during the course of debate it might be addressed by the government – is: does critical illness leave apply for a child who suffered a critical injury but not necessarily an illness? I hope that is the case as I can think of many examples of parents whose child has been injured in a car accident or a sports injury or that sort of thing.

Long-term illness and injury leave. Changes to long-term illness and injury leave will result in employees receiving up to 16 weeks of leave in a calendar year due to illness, injury, or quarantine.

Domestic violence leave. Domestic violence is a scourge on society, and one of the ways that we as society can combat this problem is by supporting those individuals when they experience domestic violence. Overwhelmingly victims of domestic violence are women and children, and far too often they get caught in a cycle of violence that is incredibly difficult to get out of. Changes in Bill 17 will result in Albertans receiving up to 10 days' leave in a calendar year. This leave can be used to relocate, obtain services such as psychological and professional counselling, or to seek medical attention. We aren't the first province to implement this change, but frankly that doesn't matter. The right thing is being done, and I support it.

Personal and family responsibility leave. Raising a family or, even if you aren't raising children, being part of a family often means attending appointments and doctors' visits, et cetera. Bill 17 will result in employees receiving up to five days leave in a calendar year for their health or to meet their family responsibilities in relation to a family member.

Bereavement leave. The last two proposals I want to touch on today are bereavement leave and citizenship ceremonies. I'm not sure of two things that could be less related than the sadness and grief that accompanies bereavement and the joy and elation that is felt by each and every new Canadian as they participate in the ceremony to formally become citizens of this great dominion. Allowing for up to three days of leave in order to attend a funeral is certainly welcomed, and I support the change. Likewise, I support the recognition that this government is giving to the gaining of citizenship. All we need to do to understand the importance of the ceremony is to watch the emotions displayed on the faces of new Canadians when they officially receive their citizenship. It quickly becomes clear why it is important to ensure employees can attend those citizenship ceremonies.

What the government needs to do is spend the summer consulting on the bill, and I think they will find that Albertans aren't supportive of many of these changes. That is why I'll be supporting the amendment. Instead of protecting working Albertans, this government is using them as shields to protect their big, powerful union bosses. It's disgusting, and Albertans deserve much better than what they get from this government.

We have secret ballot voting. Many of the proposed changes to the Labour Relations Code in Bill 17 aren't just bad ideas; they are downright undemocratic. Canada marks its 150th birthday this year, and this government apparently wants to celebrate by taking Alberta's democracy back to the 1800s. Secret votes are going to be a thing of the past. All this government is requiring is a simple card check, a process that is fraught with intimidation and thuggery. For decades the NDP proclaimed themselves as the party of the people. Well, with Bill 17 and the ending of secret ballots for certifying a union, the Alberta NDP have made it clear that the people they proclaim to represent are actually just big, fat cat union bosses.

But don't take my word on the importance of secret ballots; here's what the experts have to say. Elections Canada states: "The secret ballot – which safeguards the right of all citizens to vote freely and in private, without fear of intimidation." Adam Steedman states in his article *The History of the Secret Ballot*, "No one ever speaks of an open voting system any more, the secret ballot paper is seen as an essential hallmark of a free election system." No one speaks of an open voting system anymore. Well, no one but the Alberta NDP, that is.

Steedman goes on to say that the secret ballot was first introduced as "a means of managing elections that had proved, or might prove, unduly fractious and where the hostility of competing factions was such as to render open voting neither practical nor decisive."

**8:00**

In his research on legislative rules in European parliamentary democracies Thomas Saalfeld found that secret ballots date back to ancient Greece.

Upon my election to this illustrious Chamber I never would have guessed that I would be forced to make a speech defending the right of Albertans to a secret ballot. This government never fails to disappoint. While I support aspects of this bill, the changes to certification votes and the removal of secret ballots are not something I can or will ever support. I will be voting for the amendment, and I encourage all members of this House to do the same.

Just to summarize, when it comes to Bill 17, the Fair and Family-friendly Workplaces Act, there are some things I like: maternity leave, parental leave, death or disappearance of a child leave, critical illness of a child leave, long-term illness and injury leave, domestic violence leave, bereavement leave, and citizenship leave. But if this government is sincere in taking the time to get this right, they will use the summer to receive meaningful feedback on all the changes and their combined ramifications.

This government is being disingenuous by lumping together all these changes to both the Labour Relations Code and the Employment Standards Code into one big omnibus bill. Clearly, the government intended for very little discussion to happen because they know that this bill aims to please their big labour pals and not the rest of Alberta. The contempt that this government has for the legislative process is unhealthy and unacceptable. Many of the proposed changes to the Labour Relations Code in Bill 17 aren't just bad ideas; they're downright antidemocratic.

As I mentioned before, Canada marks its 150th birthday this year, and this government wants to take us back into the past, to the 1800s. Secret ballots are going to be a thing of the past. All this government is requiring is a simple card check, a process that increases the chance of intimidation in the voting process. This government used to proclaim themselves as the party of the people, but that just isn't right anymore.

I can't believe that I'm sitting here in this Legislature talking about free speech, secret ballots, and having this government give



more than 36 days' discussion on something that hasn't been changed in 30 years. They sit here and talk about how many years it's been since this legislation has been looked at, and what do they do? Thirty-six days, ram it through at the end of a legislative session, and then stifle the opportunity for Albertans to have their say. It's just not right. We need to support this amendment and have this properly consulted on with Albertans.

Thank you.

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

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Thank you, Madam Speaker, and thank you again to the hon. member for his comments on this important amendment, this referral amendment, and the need for the government to slow this process down, take a time out and go back to the boss, the people of Alberta, and have a conversation and make sure that we're getting this right, particularly around some of the consequences that will go on with businesses and that type of stuff in our province.

My question to the hon. member, based on his presentation, has to do with the last portion that he was talking about and his concerns around democracy. I'd like to ask him a question about trust. One of the things I noticed back home in my constituency, Madam Speaker – you may have noticed it in yours; I don't know, but I would certainly like to hear from the hon. member on this issue – is the complete lack of trust that most Albertans have in the NDP now and in this government.

You know, I was at a 4-H event in Sundre last night. I do a lot of work with 4-H clubs in my community. As you know, Madam Speaker, it's something I enjoy. What really struck me as I was talking to a bunch of the kids from the Sundre and Bergen multiclub last night – Sundre had their sale – was how much the youth in my communities are scared of the NDP government and don't trust them and how much of a tremendous impact some of the outrageous decisions had, that the caucus across from me made during, in their case particularly, Bill 6, which they saw as an attack on their families' livelihoods and something that they cared about so much.

Of course, it comes back to not consulting and not heeding the opposition's advice at that time and working with the people of Alberta. I can't help but think that if at the time the government wasn't so blindly and selfishly trying to move forward legislation that would, you know, attack children on their farms, they would not have lost trust of a whole generation of Albertans who will never, certainly, vote NDP. It will have long-term consequences.

I think of the implications of democracy in regard to some of the secret ballot decisions that we now see the caucus across from us doing, you know, and continuing the pattern that we saw in the last sitting, where they attacked democracy by manipulating election rules to their advantage or spending their time attempting to get taxpayers to pay for their political campaigns, one of the most outrageous things that anybody has seen in this building, I would suggest.

So I'm interested to see what the hon. member would think his constituents would feel in regard to trust and how much damage this government has done to the relationship with Albertans, you know, Madam Speaker, people that I know you know that they don't talk to. They stay with the people that believe in their world view, and they're not interested in talking to the majority of Albertans who don't buy into their ideological agenda. But in continuing to do all these things that lose Albertans' trust, what type of long-term consequences does he think this will have on his constituents?

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

The hon. Member for Grande Prairie-Smoky.

**Mr. Loewen:** Yes. Well, thank you very much for the question. It's interesting because I'm seeing the exact same thing in my constituency, a lack of trust in this government because of the bills that they've passed and the lack of consultation that they've done. Just about every organization in Alberta has a story to tell about not being able to get a meeting with the minister or not being able to get a hold of their MLA.

I've had a chance to travel to other constituencies around mine that have NDP MLAs, and they are more than happy to see me. They welcome me into their community. They ask me to come and speak to them because they can't talk to their own MLA. They won't return the calls. They won't come out and speak. They won't go out in public. This is an issue that this government has, and it continues to happen to this day.

This government continues to attack democracy. We've seen that with the bills that they've passed. In fact, the member talked during the discussions on democracy and the changing of the fundraising act for campaigns about stacking the deck and how the government is always stacking the deck in their favour. It was sad to see. They had a chance to do legislation right, but they continued to try to stack the deck in their favour, and we see it all the time in this Legislature.

Now, getting back to this particular bill, we've said over and over again: split the bill. Split apart the labour relations and the employment standards. Split it. We will help pass it, and the other one can be consulted on over the summer. We'll support that. Then we can bring this into effect immediately. But this government wants to pass this all in one omnibus bill. They want to be able to sneak in the worst . . .

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

Are there any members wishing to speak to the reasoned amendment? The hon. Member for Calgary-Elbow.

**Mr. Clark:** Thank you very much, Madam Speaker. I appreciate the opportunity to speak to this amendment. I speak in favour of the amendment because there's no question, in my mind, that not enough consultation has happened, that we need some more time. I'm going to go into specifically why I think we need more time and what we need more time to consider. My hon. friends from the other side seem to have a different view of that. I'm going to talk about specifically why I think we need to spend some more time on this bill.

First off, let me say that any time there's the word "fair" in a bill title, I'm a little concerned. I worry a little bit about what spin the government is trying to put on it. I'm more of a fan of functional bill titles than the politicized bill titles, but here we are.

Look, there's no question that there are aspects of this bill I'm enthusiastically in favour of. The job-protected leave provisions are long overdue for change. When we look at compassionate care leave, I'm fascinated. It's certainly about time Alberta came up to speed with the rest of the country, with the exception of B.C., interestingly enough, who only allows eight weeks within a 26-week period. It's good to know that Alberta will be on par or similar, at least, to Manitoba, New Brunswick, Nova Scotia, other parts of the country.

**8:10**

Maternity and parental leave. I was very fortunate to take three months with our first daughter 13 and a half years ago. It was the greatest experience of my life, without question. We were in a position, fortunately, where my wife and I were able to split our

leave. It's a time of my life I absolutely treasure. I think that all Albertans should have that opportunity, and aligning it with the EI program makes all the sense in the world.

The long-term illness and critical injury leave, the 16 weeks, again, makes a lot of sense, as does the personal and family responsibility leave, five days' job protection for personal sickness, short-term care of an immediate family member. Again, on just human and compassionate grounds these make all the sense in the world, and I enthusiastically support those changes, as I do the changes on bereavement leave.

I am pleased to see that domestic violence leave is being added to Alberta legislation. As I hope the House knows, I've volunteered with HomeFront in the past in Calgary. It's an area that I feel all of us have an obligation to set our minds to, addressing domestic violence in our society. I certainly very much support the government in their efforts to add this in.

Citizenship ceremony leave is not one I expected to see in there, but I'm pleased it's there. It's one of the things I get a chance to do here coming up in the next couple of weeks, attend a citizenship ceremony, and those are always remarkable days.

Critical illness of a child, death or disappearance of a child: again, these are areas that we absolutely should have in legislation in this province, and I'm very supportive of that.

If the bill was carved into these two component pieces, it would be very easy, I think, for us to pass this through the Assembly very quickly. I think you would have perhaps some support for unanimous consent. I know that's not going to happen, but it should. It should.

It's pretty obvious, I think, where the government is coming from on this. You wrap up things that are positive with things that are controversial, and then if any opposition member votes against the things that are controversial, they get called out for not supporting the things that are positive. There's a term for that, which is most certainly unparliamentary, and I won't even come close to going there, to what that is. I suppose I could say it and then apologize and withdraw, but that would be cheeky. I won't do that. That would be counter to the spirit of what we're trying to achieve in this Assembly. I'm glad to see that I had the enthusiastic agreement of Madam Speaker on that.

You know, what I see in this bill, I mean, when you look at the size of it – I have the original bill that was dropped on first reading, the fateful first reading as we'll all recall that remarkable day – is that very clearly there was a lot of work going on in this bill right to the very last minute, which is why it's printed on eight and a half by 11 paper and not in its booklet form. I suspect the government went through several iterations right up to the last minute, eventually running out of time, and said: "All right; this is what we're going with," which is one of those clues that we really need to consider on whether or not enough consultation, enough consideration has gone in.

Again, I'm going to go into some very specific clauses of the bill that I have concerns with, but let me just say this. What I see in particular in the labour code aspect of this bill – but I suppose to some degree it's in, potentially, some areas of employment standards as well – is a particular philosophy which is going away from what has served Alberta very well for a long time. That philosophy that I see in Bill 17 is a philosophy that says that employers are out to try to get their employees and that we have to have all the protections in the world from these big, bad employers and that the employees are at such a disadvantage that we need to make sure that we have overwhelming protection around these employees.

The reality in Alberta – and this has served us very well for a couple of decades as you see from the labour peace that we've had

in this province. The reality in the vast, vast, vast majority of cases is that employees and employers are partners in creating shared prosperity in their businesses. That is tremendously beneficial to this province. Do you know what that does? That creates tax revenue. That tax revenue funds very important social programs that Albertans rely on. That's how it works. So on the question of where the money comes from, why is it that someone would put their hard-earned dollars at risk investing in a business if there's no likelihood of a return?

What this bill does: look, this bill in and of itself is not going to cause capital to flee the province. It may. It may have some impact on that, but it's another brick in the wall, it's another bump in the road for anyone who may want to invest in Alberta, for anyone who may want to consider expanding their business in Alberta. It's that cumulative impact of all of the changes this government has brought in in its two years so far that I'm most concerned about.

I have a lot of questions about this bill and a lot of questions about what impact this is going to have on Alberta's economy, an economy that I hope is ramping up and I hope is creating jobs and I hope is creating prosperity. What I worry about is that this bill may in fact stifle that prosperity, stifle the growth in this province and that it won't be as great or as big as it could be.

Let's just step through some of the concerns I have and the questions that I have. Let me be very clear. It's obviously a very long bill. My team and I are still going through it. There are aspects of the labour code, without question, that I'm sure I'll end up supporting.

First off, the hybrid certification, the card check 65 per cent: it solves a problem we don't have. How someone can think that anything other than a secret ballot is a legitimate way of making something happen – you know what I'd love? I'd like to spend the next two years door-knocking and getting my constituents in Calgary-Elbow to sign a piece of paper that says: we would like you to continue being MLA for Calgary-Elbow. If I get 65 per cent of my constituents to sign that piece of paper, no election. Does that sound pretty good? I imagine that would be pretty good. We could save some money, right? You know, that sounds good. Now, the 35 per cent of people who don't sign my paper: now I know who they are, and we can have some different conversations at some other time.

That just feels wrong. Can you imagine if that's how we were selected to sit in this Chamber? You just go around, and if you get 65 per cent of people to sign a piece of paper, no problem. It's fundamentally wrong, fundamentally counterdemocratic.

**An Hon. Member:** It's not as easy as you think.

**Mr. Clark:** It doesn't matter how easy it is. It doesn't matter how easy it is. The principle of a secret ballot is absolutely fundamental to democracy – fundamental – so to go away from that is certainly, clearly something I can't support.

The timelines for certification have become shorter, more regulated. Again, I'm not convinced that this is helpful. I have questions about that.

The farm and ranch changes: I have some concerns and questions about this, frankly, from a property rights perspective. If union organizers must be given access to farm property if there are nonfamily farm workers working on that property, what are the implications for property rights for farmers and ranchers who have workers living on-site? Again, I don't know the answer to that question.

I don't have an answer to that question right now, but those are the kinds of things that we're going to find out if we either split the bill in two – it sounds like it's not going to happen – or, speaking to

this amendment, we have an opportunity to take some time to do the job right, take some time to do the consultation to answer those sorts of questions, answer questions about dependent contractors. If we have people who are independent contractors or incorporated all of a sudden getting caught up in a unionization drive, who had no intention of being part of it because they're incorporated and because they are contractors: I've got some questions about that. As someone who worked in that mode, certainly I wouldn't have expected to be unionized. That was part of the deal. I was able to work between different companies, different job sites.

The labour board procedures. There seems to be a lot of power heading towards the labour board. That may streamline the process. I'm a big fan of streamlining, and I certainly like a one-window approach to anything from a regulatory perspective.

I like the idea that there's priority for disagreements regarding job loss. I actually have a constituent who's really struggling with this right now, so I certainly would likely support something like that.

Again, I'm not convinced that we've heard enough from employers and union reps and employees on the implications of all of the things that are going to land on the desk of the labour board. Is this going to create a substantially increased workload? What does that mean in terms of resources required by the labour board? Who pays the freight? All these are questions that I have that, again, I think, can be answered if we take some time to thoughtfully go through a consultation process and a study process. Once we get to committee, I can only imagine that we're going to have some recommendations that we move this into committee.

8:20

The reverse onus clause seems like an interesting one. Again, I don't know if this is comparable with the rest of the country. Based on my initial reading of it, it feels like what we're seeing in Bill 17 is narrower than what we see in the rest of the country. That deserves, I think, some serious consideration and thought and input from Albertans.

The unfair practices pieces, the authority to certify or decertify where holding a vote has become impractical due to unfair labour practices, making a vote difficult, directed certification: I'd like to know how that compares to the rest of the country. I'd like to know what the implications of that are.

I've talked about the remote site access as it relates specifically to farming and ranching, but there are other areas.

What other points? Secondary picketing: do the provisions of Bill 17, in fact, align with the Supreme Court of Canada's Pepsi-Cola ruling? I don't know if they do or not. We're still in the process of looking at that. Perhaps that's something that we can answer here through the process of debate, but again I'd like to hear from a broad range of stakeholders, labour lawyers, others who may have some more expertise in that than I do.

You know, the MERFing and salting: that's an interesting one. We had a long discussion about this this afternoon in my office, about MERFing in particular. It may very well be one of those things that is not actually, frankly, a big concern in our country. I know Alberta is the only province, to the best of my knowledge, that outlaws this. It may be one of those problems that we, frankly, don't have. There could be no concerns in getting rid of that. I don't know. Again, we're looking into that.

But I do have concerns on eliminating and repealing the salting provisions. There are some examples that have been brought to me where you have a small number of seasonal workers who will come in for a period of time. Perhaps they've been there for 90, 91 days. A large number of them come, and then they move on, and then there's a relatively small number. Just to pick numbers off the top

of my head, we have 10 permanent workers, and we have 100 people who come in on a temporary basis. One person said to me: "Well, I like the situation that we have. I'm one of those 10 permanent workers. I'm not particularly interested in being unionized, but if all of a sudden we only need 90 days before unionization can happen and we have this huge number of temporary workers who come in for 92 days, all of a sudden we're unionized. Those folks go away, but now we're in this position we don't want to be in." That's an important, I think, and interesting question for us to both debate in this House but also hear from Albertans on. So I have questions about that, and many, many, many more.

Madam Speaker, I think there's absolutely no question in my mind that more consultation is required, that the 36 days of consultation this government did are not enough. [Mr. Clark's speaking time expired] And there's my time.

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

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Edmonton-Centre.

**Mr. Shepherd:** Thank you, Madam Speaker. I was interested to listen to the thoughts from the Member for Calgary-Elbow as he carefully read through, peered through the legislation, sort of identifying pieces about which he had questions. It seemed perhaps a bit improvised on the fly, but perhaps that's just the nature of what was happening at this time. We'll take it as it lies.

Anyway, I appreciated the thoughts that he had, though the member did repeat an argument that I've heard from some other members here this evening, Madam Speaker, that I found a bit odd, that being the argument that the majority of employers already provide good, stable, work environments and that since the majority of employers – and I don't dispute that at all. I certainly do believe in Alberta employers, and I certainly believe that the majority of them are looking out for their employees and seeking to provide safe workplaces, seeking to provide protection for their employees and seeking to be reasonable with their employees. Absolutely, Madam Speaker.

But the argument that because the majority of employers do so, there is no need to bring forward legislation to enforce that for all employers strikes me as a bit disingenuous. Indeed, the majority of employers may provide good working conditions. The majority of employers may not need to be additionally goaded into providing appropriate treatment or wages or working conditions or other things, but the fact remains that there is a minority of employers for whom it may be necessary.

The truth is, Madam Speaker, that we do not legislate anything else on that basis. We don't say: "The majority of restaurants are looking out for the people that eat there. Therefore, it's not necessary to provide regulations to ensure food safety, because the majority of restaurants don't want to poison their customers. That's bad for business, so there's no need for legislation for that to take place." [interjections] Now, admittedly, that was not fully the argument of the Member for Calgary-Elbow. It's an argument that's been put forward by some other members this evening, who seem to be quite vocal about that at this time, and that's fine. If they want to chirp about it, that's fine. They can go ahead and do so. I'd be more than happy to speak to them about that later.

But the fact is, Madam Speaker, that the Member for Calgary-Elbow also then went on to say that because there are exceptions in particular areas regarding labour legislation, the labour legislation may in fact have some possibly – he's not sure: possibly, maybe – negative effects on a minority of employers, that therefore we should not be passing certain parts of this legislation, that it needs

much more discussion. It seems to me that that's kind of going both ways. In some cases, a majority of it being okay, it's fine for employees, then, perhaps to not have particular protections. But on the other hand, if it might possibly – possibly, again – affect a minority of employees, then we have to be very, very concerned.

Now, Madam Speaker, he also was noting his concerns about, you know, how this might affect the labour board. I will note that this whole process was overseen by Mr. Andy Sims, a former chair of the Alberta labour board, appointed by the previous, Progressive Conservative government, a man who has deep experience – deep experience . . . [interjections]

**The Acting Speaker:** Members.

**Mr. Shepherd:** . . . in the area of labour law, in the area of knowing these things. He provided the recommendations on which this bill is based. In fact, Madam Speaker, he spoke very positively about this legislation. I have a quote here from Mr. Sims. [interjection] I do hear the member from the PC caucus there trying to disparage the possible intentions of Mr. Sims, suggesting that he might be making certain statements on the basis of contracts with our particular government. What Mr. Sims had to say was:

I listened carefully to the ideas and perspectives of both employers and employee groups during the course of this review. Drawing on my years of professional experience in this area, I was pleased to present the government with advice and workable options to modernize Alberta's labour relations system and bring it into alignment with the Canadian mainstream.

Mr. Sims was happy to stand with the minister when this legislation was announced and indeed has not spoken critically about this legislation, legislation which, I'll note, many people have spoken in favour of, including the hybrid card check system, Madam Speaker, which Mr. Ken Kobly, the CEO of the Alberta Chambers of Commerce, considered to be a compromise.

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

Are there any other members wishing to speak to the referral amendment?

**Mr. Nixon:** I think it's a reasoned amendment.

**The Acting Speaker:** Oh. Sorry. Reasoned amendment.

The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Well, thank you, Madam Speaker. I do rise to speak to the reasoned amendment. I think it's interesting as we've watched this process throughout the day and we continue to watch the government dodge consulting in any way or communicating in any way with Albertans on this legislation. I think there are a couple of things we should talk about which really illustrate the need for the government to stop this process, to spend the summer consulting with Albertans. That's why I think the hon. member brought forward this reasoned amendment.

One of the great examples, I think, Madam Speaker, that illustrates this is the way we received this bill last week. We received a bill like this when you normally receive a bill like this. Now, the reason that that happened is because the government couldn't get the bill to the printer in time because they were still tinkering with a bill this thick just before they tabled it.

8:30

You're telling me that this government actually consulted with Albertans, everyday Albertans, not the Albertans that stick with the world view that they usually talk to across the way here but Albertans across the province, employers from a wide spectrum, but they couldn't get the bill printed in time because they were rushing

to get it through before we left for the summer. Now, why, Madam Speaker? I think that's an important question to ask when you look at that.

It's interesting – it's interesting – because the hon. members across the way, the government members across the way, say that they're rushing this without consultation because of the compassionate portions of the bill. Now, the opposition side of the House has offered to pass those in one day, provide immediate unanimous consent and move those through and get them done, but the government refuses to do that.

Well, let's look at the dates. This is very telling, Madam Speaker. Let's look at the dates. [interjections] When . . .

**The Acting Speaker:** Hon. members.

**Mr. Nixon:** When do the compassionate portions of this bill come into effect? I know, Madam Speaker. In January of next year. When do the controversial portions of the bill, that the NDP are attempting to attach to the compassionate portions to force it through this summer, take effect? When do the portions that their union bosses want in effect immediately take effect? In September of this year. The compassionate portions, that the opposition has offered to pass immediately – immediately, done deal, done today, tonight if they want – don't take effect till January, but the controversial portions of this legislation, that they won't consult with Albertans on, that they'll only talk to their union bosses about, people focused on their ideological agenda, take effect in September.

Madam Speaker, I don't know about you, but I'm appalled by that. This side of the House will deal with the serious compassionate issues immediately, get it done, get it to Royal Assent, and get it finished. That side of the House keeps rising and saying that this is why they're trying to rush it through, but they're not even going to let it take effect until next year. On the controversial portions of it, the portions that they didn't bother to talk to employers adequately about, that they only spoke about with Albertans for over 30 days – they have not been public about those consultations or making it clear what they've determined – those will be rushed through and take effect by September.

If this government was serious about the compassionate portion, they would take the opposition up on their offer, and they would get it through immediately so that it could take effect. Instead, what we will probably see throughout the rest of the evening is the opposite side continuing to rise and trying to convince Albertans that their focus is on compassion. But the reality is that when you look at the dates, that is not a reasonable argument.

Now, I would ask myself – I put things within the scope or the view of how my constituents would react to it. I believe that is our job, Madam Speaker, that we should be thinking about the people that sent us here and how they would react to the scenarios that we encounter. Our job is to vote on behalf of our constituents and to make decisions on behalf of our constituents based on what we think the majority of our constituents would want.

It's not always easy, but I can tell you that if you went to my constituency with me – and I would hope that one day you will come and visit my beautiful constituency, Madam Speaker. It's a great place. If you walked into, let's say, the Sundre A&W – I love the Sundre A&W – every day at 2:30 the great Myron Thompson, former Member of Parliament for Sundre, still a town councillor, with 50 years of public service to the community of Sundre and Mountain View county, holds court. Every day at 2:30 inside the A&W. You could come and you could visit with all sorts of people from all across the county.

Now, Madam Speaker, if you and I were there tomorrow, at one of Myron Thompson's great courts inside the Sundre A&W having

a coffee, we could say: “Hey, they want us, Myron, to vote on this bill, but they couldn’t even get it printed in time. They want us to trust that that’s going to be okay for our constituents. They want us to vote on a bill, but they won’t put the compassionate portions through immediately. Instead, Myron, they want to make all the compassionate portions wait until next year, and the only portions they want to rush through, Myron, are the controversial portions, that we would get through in September.”

Now, Madam Speaker, do you think the people in the Sundre A&W would think that that was reasonable? In all honesty, do you think they would think that that was reasonable? I mean, I can tell from your reaction that you realize they would not think that that was very reasonable, and they would be right. The constituents of the members across the way wouldn’t think that that would be reasonable either. There is no reasonable argument that the other side can stand up and give that shows that that’s true. They can’t. They haven’t. All they do is continue to rise and try to put forward this vision that this is about getting compassionate issues associated with this bill through, but they don’t have the courage to get them through tonight or tomorrow.

They keep continuing to push those off to next year while they push through an ideological agenda on behalf of their union friends to get it through in September. Think about that, Madam Speaker. The compassionate issues that we would pass today: this government won’t allow them to happen until January 2018, just a little over a year from when they’ll be removed from office. But they’ll put through the controversial issues, that they have not consulted Albertans on, by September. Albertans aren’t buying it. They don’t buy it.

We have stood in this House many times for many reasoned amendments talking about the need for this government to consult, talking about the need for the government to take their time to answer some questions. Many hon. members have risen and asked serious questions about economic impacts, how this is going to impact employers, what the consequences are for remote work sites, what the consequences are for ranches and farms, lots of legitimate questions that we should be asking on behalf of the people of Alberta. This government, though, Madam Speaker, continues their pattern of behaviour that they have had from their very first day in office, and that is to ignore Albertans and to do whatever the heck they want, and it has serious consequences.

When I was speaking under 29(2)(a) earlier to another hon. member, I talked about my trip to Sundre for their 4-H show and sale on Monday night and the fact that as I was walking with the young kids in the club, the Keiver children, who are usually doing lambs and calves, smaller calves – they’re not putting steers in the sale – they were talking to me about what takes place up here. These are kids, nine, 10 years old. They are scared of the members opposite. They are petrified of this government. [interjections]

They laugh, but that’s a fact. They don’t trust them. Because they went forward with legislation so fast at the time that was associated with something that was so near and dear to them, young children don’t trust them. [interjections] They laugh, but it’s not funny. For generations in the community I represent there is no way those kids will ever accept any of these members across the way in any form because they attacked their very way of life.

Now, if they had slowed down, Madam Speaker, if they had slowed down and actually talked – you know, the Member for Calgary-Bow is heckling away. I don’t even know if she’s ever been to a 4-H sale. Maybe if she slowed down and actually went and talked to some of my constituents, she would have understood before she stood in this House and disregarded everything that they thought, everything about their livelihood, and voted for a piece of legislation that they will never forgive her for.

It’s the same example here. Now, it may not be as extreme in this case, but the point is that if you don’t take the time to talk to the people that the legislation will impact and you continue to hide behind a vision or an argument that is just ridiculous when you look at the dates – because it’s not about compassion. If it was about compassion, the hon. members would stand up and vote and get it through tonight, but they won’t because it’s not about compassion. It’s about forcing through their ideological agenda by September. The dates don’t lie. The dates are clear, Madam Speaker. If this was about the compassionate portion of it, then that would go through in September at the very earliest, at the same time as the rest of the portions of the bill, but it’s not.

**An Hon. Member:** This is the amendment, right?

**Mr. Nixon:** Yeah. It is the reasoned amendment, absolutely. Thanks to the hon. member for pointing that out. I’m glad that he’s keeping up that we’re on a reasoned amendment. A reasoned amendment is to point out why this needs to be consulted on and that this should stop. That’s what a reasoned amendment is for. This bill needs to stop, and this government needs to consult with the people that it will impact.

Now, Madam Speaker, why doesn’t this government ever want to do that? Over and over and over we ask why this government won’t do it. In this case why does this government not want to talk to the employers that will be impacted? Under this government’s watch over a hundred thousand people have lost jobs. Our economy has been destroyed. We will be \$70 billion to \$100 billion in debt by the time their time in office comes to an end, and it’s coming to an end. I mean, they are in the second half, and there’s not a reasonable person in this entire province that thinks this government will continue a second term in office. But the damage that they will do during this time is why this reasoned amendment is appropriate. We need to send this back for consultation. We need to take the time.

This government has a pattern, and this is very relevant to that. This government has a pattern of putting bills like this into the House just before the end of a session. They have a pattern of not talking to people. I mean, Bill 6 was one of the great examples where bureaucrats were going out and they had no clue. They were coming out from the government, and they had no clue about the reality of the legislation they were going to make, talking about sending bulls out with cows only in the daytime to make sure that they didn’t calve at night. Those stories happened. With the people that were there, that happened. That’s a lack of consultation. If you’re going to make legislation, you should talk to the people that it impacts. That’s not unreasonable.

**8:40**

Now, there are many good things inside this legislation, as has been pointed out by many members, and we should focus on that. In the end, if the members opposite took the time to talk to Albertans, they might get the legislation better that actually impacts everybody.

What would be very interesting to me, though, Madam Speaker – and many hon. members have spoken about this today – is an explanation for the dates, an explanation from this government on why they brought this forward during the last week if they truly cared. If they truly cared, they wouldn’t have waited until the last minute. They couldn’t even get it to the printer. These are not people that cared. They couldn’t even get the bill done in time and print it. How serious is that? Not very serious. They couldn’t even get the bill done and printed, and they think that they’re ready to debate it in the Legislature. They’re not.

Now they stand up, and again the core of their argument – over and over, Madam Speaker, you’ve heard it – is: well, you guys don’t want to get the compassionate portion through. Let’s bring it through today. Let’s do it. Right now. Move a motion, and we can move all that compassionate portion through. It’s very important. We agree. We’ll get it done.

**Mr. Hanson:** We’ll even change the enforcement date.

**Mr. Nixon:** Absolutely. We’ll change the enforcement date. Let’s get it up to the same as where they’re trying to get their big union boss portions through. That’s the point of this amendment, why any reasonable member across the way would not do that.

Now, earlier today we were, of course, debating a referral amendment to send it back to committee, and that was voted down. Again, more consultation was voted down, over and over and over. The only things this government will consult on are things they don’t want to pass. Have you ever noticed that, Madam Speaker? I’m sure that you’ve found that shocking in your time here, that the only bills that this government will take the time to talk to the very people of Alberta about, that are their boss, that pay the bills around this place, are legislation that they don’t want to pass.

The hon. Member for Drumheller-Stettler tried to pass legislation to prevent this government from using taxpayer dollars to pay for advertisement for political purposes, and it’s off to committee. We’ve never seen it again. It’s been about two years.

The time change legislation, coming from an hon. member across the way, is off to committee. Who knows if that’s coming back? They’re going to consult with Albertans on it.

**Mr. Hanson:** Property rights.

**Mr. Nixon:** Property rights. That’s another great one, something that this party said that they stood for. They’ve turned their back on farmers and rural people yet again and on Albertans as a whole. They care about property rights but turned their back on them. It’s off to committee to be discussed because it’s legislation that does not fit with their ideological agenda.

Now, as soon as we see legislation that fits with their ideological agenda, they push it through even faster than they push through the compassionate portions for the people of Alberta. That is shocking. And they will have the nerve to stand in this House and say: “This is about the compassionate portions. Oh, wait. No. We don’t want to pass that for another six months, until after our ideological agenda portion is through.”

How do they think that we, who are responsible to our constituents, can trust them, based on their pattern of behaviour, that they consulted on this legislation, when they won’t tell us whom they consulted with and what they found out? They won’t show us any financial studies, any details of the impact. And they can’t even print the bill on time, Madam Speaker. They can’t even print the bill. They were still messing with this bill just before they put it in the Legislature because they were rushing it through.

In fact, the reason that proves we need the reasoned amendment to go through was that we saw the government, for the very first time in their time, filibustering their own legislation in an attempt to slow things down because they were trying to rush through this legislation before they left. Now, Madam Speaker, the reason that was noticeable is because they weren’t any good at it. They weren’t. It was very obvious to the press, to everybody that the government was now filibustering legislation because they were trying to slow down the process so that they could try to get the bill through. Well, they will delay the compassionate portions of the bill, but they’ll force through the ideological portion before the compassionate portion, before the next sitting of this House.

So, Madam Speaker, I don’t know about you, but I would like to hear and hopefully we will hear in Committee of the Whole some more information on why this government sees fit to delay the compassionate portions of this bill and to force through the ideological portions of this bill.

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

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Lac La Biche-St. Paul . . .

**Mr. Hanson:** Two Hills. Don’t forget Two Hills. It’s a very important little community.

I’d just like to ask the member – I know that I was pretty surprised when I realized that there were some significant differences in the dates of coming into force. One of the things I’d like to point out is that the big reason for this bill is compassionate care, and everybody agrees on that. We think it’s wonderful legislation. We’d like to put it through tonight. But it won’t happen because they won’t separate it out from the legislation. They’re going to put that off until January 1, but all of their really important union certification, card check, all of that stuff that just simply cannot wait will be coming through September 1.

Now, another little interesting fact. I know that they’ve thought about these dates because there’s another section in there with regard to underage workers, and that section comes into force upon proclamation. If the compassionate care portion was so important, so vitally important that this bill cannot wait, cannot go through the summer for debate – it’s got to get done here; this is extremely important stuff – why didn’t they put that as coming into force upon proclamation? I think it’s obvious what’s going on here. This group, who depend on union donations to fund their party right from every level, federally, provincially . . . [interjection] Member, did you know that every affiliated union pays \$16.04 per capita per year into the Alberta Federation of Labour? Did you know that? That’s a little interesting fact, isn’t it? One of their huge supporters, Alberta Federation of Labour.

If the member would like to comment on and just, like, you know, take into consideration that last date I said. If they were really, really serious about this legislation, about compassionate care, if they really cared about people – you know, there are people right now that have sick kids at home that could benefit from this legislation. Right now there are people working in Alberta that could benefit from this legislation, and you’re going to drag this out until January 1, 2018. But your all-important union certification stuff: oh, man, that’s got to come through September 1. Underage workers: immediately upon proclamation. Right now there are sick kids at home where the mom and dad are at work and could benefit from this legislation. Absolutely shameful. I’m just wondering if the member would like to stand up and comment on that.

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

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Well, thank you, Madam Speaker. I thank the hon. member for the question. I think that goes to the core of the main point, and that is just the complete lack of trust and the fact that, you know, nobody in Alberta trusts this government anymore. I certainly don’t, and it’s because this behaviour continues. This amendment is relevant to that because the question we have to ask is whether this was truly consulted on with Albertans, and we hear from Albertans: not.

As the hon. member knows, I mean, in my case, I hear constantly from the Red Deer ridings and the Wetaskiwin ridings, from their people who are needing our help because they’re not being able to communicate with their MLAs. We hear that constantly. Clearly,

you know, we hear those stories all the time, of people calling for help from the constituencies of the members opposite. Their constituents aren't being spoken to. They expect us to believe that they actually have taken the time to consult on this. That's troubling.

But, in addition to that – and I think the hon. member's point is that the two dates are extremely troubling – it's extremely troubling that this government continues to rise and say that this is about the compassionate portions of this when we've offered to get this through immediately. In one day we could have that passed and off to help the people that are impacted by it. When you look at that bill and you actually find out, Madam Speaker, that the government's intention is not to do anything with the compassionate portion until at least next year but that it is to force through the ideological portion, where they stack the deck on democracy with ballots, that they push forward their ideological agenda, that's troubling.

It goes to what we keep saying, and that is that there's just no trust left in this government. They've lost all the trust of Albertans, and they know it. They know it, at least the ones across the way that actually take the time to talk to Albertans. You have to know it. You go anywhere in this province, and they don't trust them, but that's because of this behaviour, over and over and over, staying inside the bubble, not talking to the people of Alberta they're trying to impact, and forcing through ideological agendas. It's extremely troubling, I think, at its core, and the reason that we needed the amendment, the reasoned amendment, and, before that, to at least refer this to committee was because of that troubling behaviour.

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

Are there any other members wishing to speak to the amendment? The hon. Member for Calgary-Foothills.

**Mr. Panda:** Thank you, Madam Speaker. I rise to support the amendment brought forward by the Member for Cardston-Taber-Warner. I believe it's a very good amendment, and I'll tell you why. Because this bill has been rushed. If members opposite do not believe me, they can actually go ahead and read the bill. The previous speakers talked about the spelling mistakes and the technical mistakes in the bill. Those could be verified by the NDP members here if they read the bill. Members opposite have been told to filibuster their own bills because Bill 17 was not ready. That was also mentioned by the previous speaker.

8:50

Now they rise and say this, that this is what is good for Albertans, without ever having taken the time to speak with Albertans, Madam Speaker. They didn't speak to any Albertans. If they spoke, they haven't informed us whom they spoke to, what they told them.

They spent less time talking to Albertans about these changes than they did speaking to Albertans about daylight saving time, Madam Speaker. If you remember, they brought in the daylight saving bill, and then they referred it to the committee. We saw more advertising and more consultation periods for time change than we are seeing for labour changes. Even after all the consultation on daylight saving time, the NDP still wanted more time to consult, so they asked us, the opposition, to back their motion to send it to the committee.

Now, we want to do the same with this bill, and, Madam Speaker, I didn't see any agreement from the other side. We are more than reasonable in separating the most important parts of it, where we both agree. We said that we have no issue in supporting that and getting that approved and getting royal assent and making that effective, but they don't want to take that. That is very unreasonable. All we are asking is: take the summer to consult with

Albertans. What's wrong with that? They didn't give us any justification for it. We want to spend, at the very least, the same amount of time on this bill as was spent on daylight saving time.

The only reason members opposite would be afraid to send this to the committee for more consultation is that they're afraid Albertans would be opposed to this, which they are, so your reasons are justified. I know that you know that Albertans are not happy with you for rushing this bill, but that is all the more reason to get input from Albertans. At least, then you have the satisfaction that you consulted Albertans and they gave you input. That gives you more confidence. I don't know why you don't do that.

Do the members opposite want to run a government that does not create legislation for all Albertans but only for a few? Do the members opposite really want to create legislation that only appeals to 1 per cent of Albertans? Do they want to create legislation that only union bosses are happy with?

Do they want to create legislation that allows unions to undercut businesses and drive out competition? That is literally what MERFing means, which they have included in this bill, Madam Speaker. Apply MERFing to any large corporation and see if they would be happy with that. Nowadays you've made friends with many corporations, which is good, so just check with them and apply MERFing and see what they've got to say.

Have the members opposite done local consultation to find out what they are introducing and how it will affect their communities? That's our job, Madam Speaker, to find out how it affects the communities. There has been less than one week for us to consult, and there is no way that any single person on that side of the House could possibly say that that is enough time to consult on a bill of this size, this large. If you did, tell us. It's not possible in just one week to consult.

MERFing alone could bankrupt businesses. If you understand business, if you understand the meaning of MERFing, that could actually bankrupt many businesses. Then, instead of introducing hundreds of unemployed engineers, we'll be introducing hundreds of unemployed construction workers, tradesmen, and oil field workers as a result of this bill, all of whom lost their jobs due to policies the members opposite signed into law. This is just one – one – of the many reasons why this bill needs more consultation. The Minister of Labour loves to quote movies and songs from the '80s to reference the last time there were any upset labour workers.

Let's keep this labour peace for one more summer and consult for one more summer. Just one more summer: that is all we are asking, Madam Speaker. Prove to us that Albertans want this bill. Prove to us that we are wrong. Just heckling us doesn't prove you right. You have to use reasonable debate and convince us to prove us wrong. I think that next the Justice minister will get up and speak and prove me wrong. I'm hoping. I know that members opposite would love to prove that we are wrong, which is good, but they have to use a reasonable argument.

Right now they have no proof because everyone is coming out against this bill. Right now we have the proof on this side of the House because lawyers are upset with this bill due to the wrong wording, construction companies are upset due to how it will destroy their businesses, business owners are upset at how they are being treated by this government as criminals, and workers are upset that their right to a secret ballot is being taken away. The only people who are happy, Madam Speaker – the only people who are happy – are the union bosses. That is the 1 per cent of workers that I was referring to. I do not know why this government is appealing to the 1 per cent. I do not know why this government does not care about everyone else.

Yes, many members across the aisle have been heckling me and my colleagues, including the member who had a member's

statement about heckling, who sits right beside his colleague as they heckle, without trying to stop them. Those two make, you know, the Statler and Waldorf of the Assembly.

There are parts of this bill we all agree upon, and we said right from the start that if those pieces were in their own separate bill, we would pass them in a heartbeat. Everyone on this side, including the Member for Calgary-Elbow, said that, but since they will not show any compassion, we have to deal with the difficult portion of this bill in hopes that they listen before it is too late.

Fellow MLAs, my colleagues, if you do not understand what these phrases are, these phrases that are included in this bill, it means that you do not understand what you are passing. I implore you to consult more on this bill. MERFing, salting, Rand, card check, and right to work: if you do not completely understand what all those mean, then that shows that you are uninformed as to the contents of this bill. Please work with us to ensure that everyone in this House is informed, please work with us on this amendment, and work with us to have more consultation on this bill.

Thank you very much.

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

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Calgary-Hawkwood.

**Connolly:** Well, thank you very much, Madam Speaker. It's my pleasure to rise under 29(2)(a) to make a comment about the speech by my hon. colleague from Calgary-Foothills. Now, he was asking quite a lot about consultation and what we've done for consultation and kind of what I've done for consultation, so I'd love to tell him what I've done to consult about Bill 17, Fair and Family-friendly Workplaces Act.

9:00

Even before this act was tabled, I was able to speak to my constituents directly. I, unlike some members on the opposite side, go door to door and talk to my constituents because they're the ones whom I'm here to represent. I go door to door, and I talk to them. I've heard over and over again from people like Karen from Hawkwood, who is happy that in Bill 17 we're going to make sure that if somebody is sick or their child is sick, they're going to have the time to go home. I have been able to go door to door, not just this weekend. [interjections]

**The Acting Speaker:** Hon. members, if we could respect both sides of the House, please.

Thank you.

**Connolly:** Thank you, Madam Speaker. I find it very disheartening that while I'm trying to speak up for my constituents, I have members from the opposite side trying to yell over top of me. I'd really appreciate it if those members could just calm down and maybe listen to some debate instead of just trying to talk over one another. That's how we have constructive debate, and I'm sure you know that.

I would really hope that my colleague and neighbour from Calgary-Foothills maybe gets out of his office and goes door to door and talks to his constituents about what this legislation means for him and how the I think it was almost 29-year-old labour legislation, this decades-old labour legislation, was so hurtful to our constituents and to all Albertans.

When I go door to door and I talk to my constituents, they tell me that – well, since I went this weekend, they were telling me how happy they were to see what's in this bill. They were happy that we are making sure that Albertans are well represented in this Legislature. They are happy that we are making sure that if

something does happen to them, if something does happen to one of their . . . [interjections]

I'm tired of hearing from the Member for Lac La Biche-St. Paul-Two Hills constantly over top of me, so I'd ask him to please quiet down while I'm trying to speak through the chair.

**Mr. Hanson:** Did you tell them about the secret ballot?

**Connolly:** Excuse me?

**The Acting Speaker:** We were doing so well. Hon. members, we've actually been very quiet this evening, and we'd appreciate it if we could please, when both sides are speaking, be respectful.

Thank you.

**Connolly:** Thank you once again, Madam Speaker.

I also heard from Heather down in Silver Springs. Like the hon. member was saying, yeah, I did speak about what we're doing to make sure that people can either join a union or leave a union and making sure that if 65 per cent of people have a card, that union is then created. They are happy with that. They're really happy that between 40 and 65 per cent we still have a secret vote. Sometimes unions can't always reach that 65 per cent because many members of that workforce maybe don't want to be members of a union, so they might not sign a union card. That means we still have the secret ballot. That is why in Bill 17 we decided not to get rid of the secret ballot, unlike what the opposition keeps saying. They are completely making falsehoods out of Bill 17. I am sick and tired of it, and my constituents are sick and tired of it.

**Mr. Hanson:** Point of order.

**The Acting Speaker:** A point of order has been called. The hon. Member for Lac La Biche-St. Paul-Two Hills.

#### Point of Order Parliamentary Language

**Mr. Hanson:** With pleasure. Thank you, Madam Speaker. I make reference to the usual suspects: 23(h), (i), and (j). The Member for Calgary-Hawkwood clearly referred to members opposite here as basically lying by using the word "falsehood." [interjections]

**The Acting Speaker:** Let the member finish, please.

**Mr. Hanson:** It's unparliamentary. It's been called unparliamentary. "Falsehood" and "not telling the truth" have been called unparliamentary in this Chamber many times in the past, and I would like the member to apologize and withdraw.

Thank you.

**The Acting Speaker:** Would the government side like to respond? The hon. Member for Calgary-Hawkwood.

**Connolly:** Yes. I'll retract the word that I used, and I do apologize for using that specific word. However, they are not necessarily always construing what our legislation is in the correct manner.

**The Acting Speaker:** Thank you, hon. member. Please continue.

#### Debate Continued

**Connolly:** Now, as I mentioned, Madam Speaker, some of the – sorry. I'm not done with my 29(2)(a).

As I mentioned, Madam Speaker, some of this legislation hasn't been updated since 1988, and the previous government's failure to keep up to date with the rest of Canada is completely shameful. The



current opposition is coming up with all sorts of reasons to keep delaying those updates, and I think that's shameful, too. That was directly what the member opposite was trying to do and what they're trying to do with this reasoned amendment.

Albertans need a government that's got their backs and makes sure they have the same rights as people in other jurisdictions. These are things like overtime. In order to protect Albertans and keep up with other Canadian jurisdictions, Bill 17 proposes that rates of banked overtime and pay must be no less than time and a half.

Now, I know several people that are in the same position. My brother, as a matter of fact, is in that position. I am so happy that he is going to get his fair shake. He deserves it for the work that he does as an electrician. I know that for several people who work in the trades and people who even work elsewhere – like, when I worked even in retail, that was the case. We only got one hour for our banked hours in overtime.

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

Are there any other members wishing to speak to the amendment? The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Yes. Thank you, Madam Speaker, and good evening, everyone. Well, interesting conversations in the past few minutes, for sure, this evening, folks.

I'd like to rise this evening and speak highly in favour of this amendment. Actually, though, I'd like to start – I'm kind of getting tired of always getting up and speaking about how this government isn't listening to Albertans and about the lack of consultation this government holds on so many of their legislative policies. Frankly, if I didn't know any better, I'd say that they're outright allergic to the thought of listening to Albertans, Madam Speaker.

The NDP government needs to realize that more consultation/analysis is needed under labour and employment changes as Alberta's job creators have taken hit after hit from the NDP blindly pursuing their ideology since they were elected. If they are sincere in taking the time to get this right, they will use the summer to receive meaningful feedback on all the changes and their combined ramifications. That's what our amendment is asking you to do, to take the summer to go out and get feedback.

Economic impact assessments. Whether it's the carbon tax, electricity changes, the tax hikes, or the minimum wage, the government either refuses to do impact assessments or ignores the evidence in favour of ideology. This legislation from the NDP government is omnibus in nature and, in my opinion, would best be served if split into two distinct components to allow for faster passage of compassionate care leaves.

Actually, I'm supportive of many of the updates to the employment standards to protect those on compassionate leave, ladies and gentlemen. I really hoped to work with this government on passing those measures as quickly as possible. But I'm steadily losing hope that the NDP will recognize that these compassionate care components be separate and distinct from the broader employment and labour code changes that require consultation, which is really too bad. Albertans deserve so much better.

The NDP government is being completely insincere in their attempt to wrap up their really bad bill with really good proposals on improving compassionate leaves. Again, if they would take the time to actually listen to Albertans over the course of the summer, they would hear that. Again, that is what our amendment is set to do.

Make no mistake: the larger part of this province's Alberta advantage was the decades of labour peace. That didn't happen by accident. The NDP seem hell-bent on settling ideological scores at

a time when Alberta's economy simply cannot absorb the continued blows. This government is sacrificing jobs to please their big, fat-cat union bosses. That's what it would seem. This legislation should require the government to take their time to get it right. Instead, the NDP is setting a course for destruction and taking us there at lightspeed.

Bill 17 has 124 pages. That is one page longer than Bill 21, the Modernized Municipal Government Act, that this government introduced last spring and that I was heavily involved in debating throughout the fall. The minister then went on the road all summer listening to Albertans, and when we returned in the fall, she – bless her heart – introduced amendments based on the feedback she received from Albertans and stakeholders. Bill 21 has been lauded as the gold standard for consultation and something this government should perhaps be emulating with Bill 17. Instead, Bill 17 is quickly becoming the lowest possible standard for how a government should pass a bill.

**9:10**

Debate on Bill 21 was measured in months. Bill 17 debate will be measured on a stopwatch, it would seem, and that is disappointing. This government should be ashamed of themselves in this respect. Consultation is something that's so important to all Albertans now since Bill 6, since Bill 21, since all of these things. That's been shown. Why they're not proceeding along that same path, I do not know.

The government clearly intended for no discussion to happen, I think, because they know that this bill aims to please the big, fat cat union bosses I mentioned a moment ago and not the rest of Albertans, who are already hurting from this government's disastrous economic policies. Alberta has a strong, stable system of democracy that has been in place for over 100 years, and this government continues to disregard the importance of that process in crafting workable legislation for the benefit of all Albertans. The contempt that the government has for the legislative process is unhealthy, and frankly it is unacceptable. Albertans deserve better, Madam Speaker.

Why the concerns with the other pieces? It's not clear what the impact would be to Alberta's businesses should the union certification provisions be rushed through. We need to take the time to do this right, and that means more than 36 little days of consultation and just a week of debate. Alberta's current union certification system has resulted in over three decades of relative labour peace, with the highest wages in the nation, and the fact that this government is willing to throw that successful system out without holding any consultation over the summer is simply wrong.

The government has essentially drawn a line in the sand that 65 per cent of employees signing union cards means 50 per cent are in favour of unionizing, and that's not right and it's not accurate, in my opinion. The secret ballot dates back to ancient Greece and has been the backbone of transparent democracy for over a thousand years, and somehow this NDP government seems to think that they know better than anyone else does. If this government is going to get rid of the secret ballot, they should have the intestinal fortitude to consult with Albertans. Again, that is what our amendment is about, consulting with Albertans throughout the summer.

I know why they refuse to speak to anyone or consult with anyone at this stage, because they simply don't have the justification to make those changes, and Albertans know it, and this government knows that Albertans know it.

I'm supporting this amendment because this bill proposes so many changes, 125 pages worth of changes, and this government has not even attempted in the least to do a proper job of consultation. I believe in consultation with Albertans. I believe in

consulting thoroughly with Albertans about these kinds of major changes and any kind of change to legislation. So, Madam Speaker, I encourage all members of this Assembly to do the same. Support this amendment. Let's see some consultation this summer.

Thank you.

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

Are there any members wishing to speak on 29(2)(a)? The hon. Member for Cardston-Taber-Warner.

**Mr. Hunter:** Thank you, Madam Speaker. I appreciate my colleague speaking to this amendment. You know, one of the questions that I had was that I really just wanted to understand: why the rush to get this very controversial part of the bill passed by September 1? So I looked up how many union members are in Alberta. A little over 23 per cent of Albertans are union members according to one of the sources that I looked at, yet the latest polls show that the NDP have dropped to around 19 per cent. So one of the things that I was thinking was that it looks like they're actually losing even some of their union members, so they need to shore up that support, that is generally something that they've been able to count on in the past. I'd like to actually ask the hon. member if he could comment on what he thinks is the reason why they're pushing this forward and whether or not there's anything to the idea that they're polling even less than what the union members are in Alberta.

Thank you.

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

The Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Madam Speaker. I'm not sure if I can answer the member's questions that he has provided. There are a few things that I could add, though, certainly, and that is that the NDP government needs to realize that more consultation is needed, both about the Labour Relations Code changes and the changes to union certification in the province. If they were actually sincere in taking the time to get this right, they would use the summer to receive that feedback that I spoke of and all the combined ramifications that are involved. This legislation from the government is omnibus in nature, and we would really, really suggest that it should be split into two distinct components to allow for faster passage of many of the important pieces of the legislation, but it's certainly something that needs further consultation.

Thank you.

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

Any other members on 29(2)(a)?

Seeing none, are there any other members wishing to speak to the referral?

The hon. Acting Deputy Government House Leader.

**Ms Ganley:** Thank you, Madam Speaker. I rise to note the amount of progress that we have made today and to begin by adjourning debate on the reasoned amendment and then adjourn for the evening until tomorrow morning.

[Motion to adjourn debate carried]

[Motion carried; the Assembly adjourned at 9:17 p.m.]

## Table of Contents

Government Bills and Orders

Second Reading

Bill 17 Fair and Family-friendly Workplaces Act ..... 1407, 1418

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