



Province of Alberta

The 29th Legislature  
Third Session

# Alberta Hansard

Wednesday morning, May 31, 2017

Day 42

The Honourable Robert E. Wanner, Speaker

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

Third Session

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Sweet, Heather, Edmonton-Manning (ND), Deputy Chair of Committees

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Loewen, Todd, Grande Prairie-Smoky (W)	Yao, Tany, Fort McMurray-Wood Buffalo (W)

**Party standings:**

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

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## Legislative Assembly of Alberta

9 a.m.

Wednesday, May 31, 2017

[The Speaker in the chair]

### Prayers

**The Speaker:** Good morning, everyone.

If we could just contemplate and pray, each in our own way. I believe that today marks the 100 years ago that U.S. President John F. Kennedy was born. Let us be reminded of his famous line, where he challenged all citizens of the world by saying, "Ask not what your country can do for you; ask what you can do for your country." Let us also remember that he suffered as a result of violence and terrorism. Let us work together to never let that dominate our country and province.

Please be seated.

### Orders of the Day

#### Government Bills and Orders Second Reading

##### Bill 17

##### Fair and Family-friendly Workplaces Act

Mr. Hunter moved 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.

[Adjourned debate on the amendment May 30: Ms Ganley]

**The Speaker:** The Member for Strathmore-Brooks.

**Mr. Fildebrandt:** Thank you, Mr. Speaker. I'm speaking to the amendment today. This is an extraordinarily large piece of legislation that we have before us today. It is, in fact, two bills brought together. It is trying to do, on the one hand, some positive things for Alberta families and Alberta workers, but on the other hand, it has some much more controversial items in it that go beyond basic working conditions and get into the basic structure of labour and employer relations in Alberta. These are two very, very separate things.

The first part of the bill I refer to deals with employment standards: underage workers, leave, overtime pay, holiday pay, employment standards for farm and ranch workers, temporary layoff periods, persons with disabilities, probationary periods for termination of employment, and administrative penalties. In some of these areas I think we'd find rather broad agreement on both sides of the House between the government, the Official Opposition, and the third party. There will be differences within there. There certainly are some problems on that side, but broadly it is trying to move in the right direction, and I think we could find a large degree of agreement on both sides.

But even where we do agree, at least on some of the broad strokes, we need to take time to properly consult with workers, with employers, with regulators, and with nonprofits and for-profit businesses. So far the only group that has been significantly

consulted on any of this is the Alberta Federation of Labour and its affiliated major unions in the public and private sectors. That is not adequate consultation. A quick phone call to small-business groups is not adequate consultation. Even on the part of the bill where we have a rather broad degree of consensus at least on the direction we should be moving, if perhaps not on some of the details, we need to be able to speak with people in the field on these things. There's not been anywhere near an adequate period of consultation. That is why this bill should be put on ice until we return in the fall. We should take the summer to go out and consult with people.

I remember that before I was elected, I was with the Canadian Taxpayers Federation, and there were four members of the current government here who served as the fourth party at the time. There were some bills brought forward by the previous government that dealt largely with pension reform, both the public and private sectors, but the more controversial side of it was on the public sector. It was actually one of the rare cases where I found myself in agreement with the former government and opposed to the Wildrose at the time. I actually felt that the Wildrose had taken the wrong position at the time, that it had been actually a matter of political expediency, and it was the wrong position to take. I was not a Wildrose member at the time, but I was certainly, generally speaking, a supporter.

This bill turned out to be pretty controversial. Members of the then fourth party, who are now in government, demanded that these controversial pieces of legislation dealing with pension reform go to a committee and that that committee spend the summer going out and meeting with stakeholders. I appeared before that committee. I remember the now Minister of Education was there. I was one of only two people to present in favour of the bill, and there were many, let's just say, vocal public-sector workers who were there demanding that the bill be shelved. I saw the now Minister of Education in the hallway before I went in, and he told me that for my own safety I should probably be careful with my presentation. Needless to say, I was not careful with my presentation and had a few public-sector union members violently shove me on my way out. Nonetheless, it was the right thing to do to have that bill go to a committee.

That was a bill that eventually the Premier who succeeded at that time, Jim Prentice, ended up shelving. I disagreed with that decision. I thought that that was a good piece of legislation, broadly speaking, although it had flaws in it, and that those flaws could have been addressed when they toured that summer to try and consult with people. They actually went out and consulted with many of the people that the bill actually affected. It affected workers, particularly in the public sector. I was there to represent many taxpayers, primarily in the private sector, who also needed to be heard. So the committee was able to go out and listen to what Albertans thought about this.

Now, federally – I generally don't look to our federal Parliament as a great example of a functioning democracy, but they do actually take much more public input at the committee level. Committees are not a shocking one-off thing. They have more than just the Public Accounts Committee. They have more than just committees that meet a few times a year to consider the estimates. They have regularly meeting committees, where they can receive testimony from members of the public.

The NDP used to stand for that when they were in opposition. You would think – you would hope, at least – that that zeal for listening to the public would carry over into government, but when you get to government, apparently you don't need to listen anymore. You can just listen to each other in the Chamber. You can listen to each other in a caucus meeting. You can listen to your party members in your meetings. But you don't have to go out and listen to the general public anymore. That is a very negative reflection on

the transition from opposition to government for many of the members opposite, that I don't think they're proud of but they may overlook for purposes of political expediency.

So that committee went out and listened to many Albertans. In the end the government of the day made the decision to shelve that bill. Again, I don't believe they should have shelved that bill. I think that was generally a positive piece of legislation that should have been passed in an amended form. There were problems with the bill, and they should have passed an amended form of that bill, but instead it was scrapped outright.

It was a good experience for me to see that, look, here are MLAs going out to tour the province. They held public hearings in Edmonton, in Calgary, and, I think, in other medium-sized cities like Medicine Hat, Red Deer, Lethbridge, Grande Prairie and listened to people there. And the NDP very actively organized to bring out their supporters. They brought out many members of the NDP. They brought out AFL members. They brought them out in large numbers to try and testify at this committee, to make their voices heard as they had every right to do, although, as I found out in my experience there, they certainly didn't respect the right of other people to testify there, as in both volume and even minor forms of violence.

In any case, it was a positive experience, and I was encouraged when I saw the Minister of Education and, I think, the Member for Livingstone-Macleod, that sat on that committee as well. It was positive to see members of all the different opposition parties there with members of the government doing this. I genuinely thought that when those members formed government, that was something that they would carry with them into government, and it's not something we've seen.

#### 9:10

This would be important to do even for the half of this bill where we have a relatively broad level of consensus on the high level of it if not on some of the details. But all the more so is it important for us to take the summer to consult on this bill on the areas where we have virtually no level of agreement right now. The other half of this bill, the Labour Relations Code changes, is a radical overhaul of labour relations and union legislation in this province. They deserve more than a cursory glance by the public before they become the law of the land. They deserve a careful and thoughtful examination from all sides. They deserve a full public hearing, with the ability for expert witnesses to testify, before we are voting on legislation to become the law of the land.

We can talk about card check certification. I think it's, without a doubt, the single most controversial piece of this piece of legislation. Card check certification would strip workers of the right to a secret ballot, would take away a democratic right from workers that Canadians have had since 1880. Eighteen eighty.

I was briefly chatting with I think it was the Member for Calgary-Currie. I know we had a big powwow in his constituency last night. I was chatting with the Member for Calgary-Currie about, you know, how we got the secret ballot. Canada's first federal election was conducted without a secret ballot. Everyone could see how you voted. The upside to that was that, you know, if you were in a Conservative area, the Conservatives would have essentially what amounted to a party or a barbecue next to the polling station, and if you voted for the right guys – they would know how you voted – you'd get invited over, and they would feed you, they would give you something to drink, and you would have had a good time with the other guys who voted Conservative. But if you didn't, well, you'd better hold on to your kneecaps.

The same thing would go on in Liberal polls. I suppose we didn't have the same party configurations at the time. We still had, you

know, what we called Reformers and Clear Grits and things like that, too. But broadly we didn't have a secret ballot. So the upside to it was that you might get some free barbecue and beer out of it if you voted the right way, but the downside was that people were intimidated if they voted the wrong way. They only conducted one federal election after Confederation like that, but our elections pre-Confederation were broadly conducted like that.

In the united provinces of Upper and Lower Canada and the colonial provinces of Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland they did not have the secret ballot until 1880 and Alexander Mackenzie, Canada's first Liberal Prime Minister, introduced the secret ballot. From that time on, Canadians have enjoyed the basic democratic right to keep their vote secret.

Now, as politicians we're constantly asking people how they vote. We love to know how people vote. We want to identify voters, to get them out. We want to figure out how people are intending to vote in polls. We're obsessed with these things. But that is a consensual handing over of information from a voter to a politician or to a pollster or to a campaigner.

That is very different – that is very different – than where you vote by signing a card. And if you don't sign the card, which is effectively a yes vote, then you are by default on the no side, meaning that a union organizer could come into your place of work, where you're just trying to do your job, and say: vote yes or no; I will know how you voted. They then have the ability to intimidate, to cajole, to trick, to bully workers into voting their way. I know that members on the other side are concerned about these issues. They talk about bullying and these things all the time, and those things are wrong. So it is beyond me to understand why they would do something which is sure to increase bullying and, potentially, cases of violence in the workplace. I don't know why they would do that.

This is a very significant change in our laws, and it deserves more than just a cursory look here and a couple of late-night sittings and debate between us. We should hear from the public. There's no need to rush this. We should take the summer, listen to Albertans, listen to constituents, listen to experts in their fields on both sides – listen to labour, listen to unions, listen to workers, listen to employers – listen to them, consult over the summer, and come back in the fall so that we can properly debate this bill with a bit more knowledge than we have right now.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, are there any questions, comments directed to the Member for Strathmore-Brooks concerning this amendment?

Are there any other members who wish to speak to the amendment? The hon. Member for Edmonton-Decore.

**Mr. Nielsen:** Well, thank you, Mr. Speaker. It's a pleasure to rise this morning to speak to the amendment. I'm probably just going to keep my comments very, very brief.

One of the things that I've seen as a concern that's been noted from our friends across the way is in regard to the consultation process and what has taken place. Just to point out a couple of little facts here, there were two previous reviews done of the codes, both in 2007 and then again in 2014. Now, unfortunately, there was no action that was taken on those reviews by the previous government, and that has left us out of step with the rest of Canada for quite some time. You know, when you think about those reviews that were done and then nothing having been done there and take into consideration that a lot of our labour language is as much as almost 30 years old, I could see how maybe it's possible to confuse some of the things we're trying to bring into step now with everybody

else in the rest of the country. That would seem a little radical to you, so I can certainly empathize on that.

With regard, again, to the consultation process that took place, you know, there was a lot that was done. We have spoken to organizations like the Alberta Chambers of Commerce, the University of Lethbridge, the city of Medicine Hat, the Alberta Caregivers Association, and organizations like Unifor. These are just a few examples of some of the consultation that has gone on, Mr. Speaker, including the nearly 5,000 online submissions that were added to try to guide the process here for this updated labour language legislation. Another 400 written submissions were also brought in.

Were small-business groups included in those consultations? Absolutely. But then again we can see that places like the Alberta Chambers of Commerce, very large organizations with a large business membership, have also been consulted on that.

We also engaged the services of Andrew Sims, a gentleman that has a very, very, very extensive background when it comes to labour law. His guidance was certainly fundamental in helping us navigate to ensure that our laws here in Alberta are now coming into step with the rest of Canada, with our friends in other provinces as well as even on some of our obligations on the international scale with regard to youth employment.

Mr. Speaker, I'm happy with the level of consultation that has taken place. I know for sure that, you know, the folks in Edmonton-Decore and I have been talking about this for quite some time. Given my background that's certainly a question that always comes up along with a lot of other things.

9:20

I want to thank the member that brought the motion forward. Hopefully, some of my comments have managed to address the consultation process and how, I think, after 30 years Albertans have waited long enough so that they can enjoy some of the legislation that the rest of the country is already enjoying. I'm not able to support this amendment, and I would ask that my colleagues in the House also not support this at this time.

Thanks very much, Mr. Speaker.

**The Speaker:** Hon. members, are there any other members who wish to speak to amendment RA1? The hon. Member for Barrhead-Morinville-Westlock.

**Mr. van Dijken:** Thank you, Mr. Speaker. I rise today to speak to a reasoned amendment with regard to Bill 17, that

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.

Last week, Mr. Speaker, we came to a point in time where the Minister of Labour decided that it's time to put forward Bill 17, the Labour Relations Code and the Employment Standards Code amendment act. What we see here is a minister that has thrown together a document that got plunked on our desks stapled together, not completely, properly finished, I would suggest rushed at the end of a session, and where this government is now proposing that we push this through before the end of session.

I would suggest that the Minister of Labour needs to probably focus more on creating jobs, creating an environment of stability, and creating an environment for many of the unemployed workers that we've seen in our province over the last couple of years, where we've seen many people not being able to find work. We have a Minister of Labour that has been so focused on creating a bill that

is not necessarily going to help create any new jobs and that, I would suggest, possibly is creating more instability within the workplace, within the investment community, and more uncertainty on whether or not we will be able to create the good-paying jobs in the future that we have been able to enjoy over the past few decades.

When I look at this bill, Mr. Speaker, I consider that this bill is not fair to workers, who are having their rights taken away, the rights to a secret ballot, and it's not fair to entrepreneurs trying to create jobs and prosperity. We have had relative labour peace for decades now. I would suggest that employers and employees have been working together collaboratively in the best interests of everyone and, at the end of the day, have been able to move forward in a collaborative manner, enjoying the mutual benefits of success, where employers and employees have been able to reap the benefits of a workplace that rewards each according to their needs.

Now we have a Minister of Labour who claims, after 30 years of relative work peace, that something is wrong. When we look at a situation that has been going quite well and working quite well, you've got to ask the question: why? If it's not broken, why? Why are we trying to fix something that is not necessarily broken?

Now, granted, Mr. Speaker, we have portions of this bill that are speaking to the Employment Standards Code. You know, we in the opposition have advocated for splitting the bill into two portions. The compassionate care components of this bill are separate from the labour code changes and should be treated as such. They should be two separate bills. How union certification operates, for instance, is an entirely different subject than whether or not workers should be able to take protected leave for compassionate care, for caring for sick or dying loved ones; for being able to take time off when they're caught in a domestic violence situation; and those types of things. Having their workplace or their job protected during those times of crisis is an important part of this legislation.

But to lump it all together, the employment standards and Labour Relations Code amendments, is saying to me that the government is trying to hide something, that they're trying to cover up what would be typically viewed as concerning legislation that is playing to their union bosses and the people that are part of the NDP governance structure in their party and playing to those individuals and those organizations that are expecting this government to make union certification easier, to simplify it. The minister has called it simplifying union certification.

I would suggest, Mr. Speaker, that there has not been enough consultation with everyday Albertans, stakeholders, our job creators, and our investors in this province to get a good understanding of what the impact is going to be on our economy, on our job situation. I would suggest that if the NDP sincerely wanted to get this right, they would take the time to do it right. With 36 days of consultation, primarily on employment standards, and the four come-and-be-told meetings we heard about, where if you were invited, you were allowed to attend, I don't necessarily believe that that was fulsome consultation that is helpful to improving the investment climate and the job-creation climate within this province. It appears to me to be somewhat underhanded and disingenuous to the proper steps needing to be taken to ensure that all Albertans recognize that this government is working on their behalf and not on behalf of their union bosses.

The amendment would essentially say: take the time to do proper consultation over the summer. You know, we need to know the economic impact assessments on the investment climate and have proper evidence to get an understanding of whether the moves that are being taken at this time to essentially change our Labour Relations Code are going to actually help create jobs within this province.

We have for the last couple of months been asking many questions of the Minister of Labour, when she announced the labour

review, and trying to get an understanding of what process she would be taking to ensure that proper consultation is being done and to ensure that all stakeholders were able to be at the table and discuss the changes that were being proposed. Many of the stakeholders had been writing letters to myself and to the Premier and to the Minister of Labour and to others, and we tabled many of those letters here in the House, Mr. Speaker, based on the fact that stakeholders felt that they were not being adequately consulted with. They were asking this government to slow down, take the time, extend the consultation period, and enhance the consultation period to make sure that all people that were interested in being part of that consultation had the opportunity to actually be a part of it and to learn and understand what this government was proposing.

9:30

But this government decided that they knew better and that they know better. Apparently, they think they know better than the people that actually do create the jobs in this province. It's quite concerning to me that we have a government that is plowing ahead with ideological legislation at a time when many Albertans are looking to the Minister of Labour to come forward with some type of hope, some sign of hope, some indication, some signal that she is actually concerned about the people that are out of work, that she is actually concerned that we need to create a stable investment climate that will create jobs and help these people to be able to provide for their families, to be able to provide for their communities, and to have a healthy lifestyle that we can all enjoy.

The Minister of Labour, who is also, apparently, by coincidence, the minister responsible for democratic reform, is introducing a bill here with regard to Labour Relations Code amendments. I would suggest that the minister responsible for democratic reform or renewal or whatever the title is should be appalled that this government, that the Minister of Labour is introducing a bill that essentially takes away the secret ballot right of the employee, however you spin it. Some have decided that, no, the secret ballot is still there. But when we get to the levels of 65 per cent, the minister decided: "Well, that's good enough. Enough union members here, enough members signing cards. Whether they're signing cards with full information being given to them or not, 65 per cent seems like a good number, so let's go ahead and certify that union."

I believe that that is going against the very pillars of democracy that we've been able to enjoy in this country for many years. We need to protect those democratic rights, and we need to be sure that individuals, employees in this case, are protected from other individuals that would use force or use other types or means of encouragement that possibly are not completely accurate or are possibly somewhat misleading, that would take these individuals down a path when they were not fully informed of what path they were taking.

It's interesting, and I've been thinking about this for the last few days, since the bill was introduced. I wonder if this government would be okay if 65 per cent of voters decided that it's time to decertify this government. You know, if you had a petition and 65 per cent of voters signed the petition and said, "We want this government out," would this government decide: "Yeah. That's good representation. Let's honour that. Let's shut it down, and let's go to the voters for a new election." I would suggest that possibly the government would say: "No, no. That's not going to work." We do need to protect the democratic rights of all individuals and in this case of employees that are being approached with regard to union membership and being approached with regard to unionizing a workplace.

I find it somewhat disingenuous. You know, Mr. Speaker, unions are big business. They're big business, just like any other business, and the union executives are in it for the dollars. At the end of the day, that's what drives unions, dollars. For anybody to think that unions are necessarily all for the worker and for the employee and for the rights of the people, that would essentially be looking through rose-coloured glasses, to think that, yeah, it's not about the dollars.

Unions are big business, and at the end of the day union executives are arguably bosses of this government. We look at the NDP government, the New Democratic Party, their governance structure, and we have union executives sitting on their board. They have a right to a position on the board. I would suggest that these big businesses, these unions, these executives are using this government. They're using this government for their business development strategy.

I would suggest that the unions in Alberta have essentially – they want to do things. They want the Minister of Labour to simplify things in their favour just so that they can take on more business, have more business, create more income. They would like us to believe that they're just in it . . .

**The Speaker:** Are there any questions under 29(2)(a) to the Member for Barrhead-Morinville-Westlock? Any members under 29(2)(a)?

Seeing and hearing none, are there any other members who wish to speak to the amendment?

[The voice vote indicated that the motion on amendment RA1 lost]

[Several members rose calling for a division. The division bell was rung at 9:37 a.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Cooper	Gill	Starke
Cyr	Pitt	Strankman
Fildebrandt	Schneider	van Dijken
Fraser	Smith	Yao

Against the motion:

Anderson, S.	Hoffman	Miller
Bilous	Horne	Miranda
Ceci	Jansen	Nielsen
Connolly	Kazim	Rosendahl
Coolahan	Kleinsteuber	Sabir
Cortes-Vargas	Littlewood	Schmidt
Dach	Loyola	Schreiner
Dang	Luff	Sigurdson
Feehan	Malkinson	Sucha
Fitzpatrick	McCuaig-Boyd	Sweet
Ganley	McKittrick	Turner
Gray	McLean	Westhead
Hinkley	McPherson	

Totals: For – 12 Against – 38

[Motion on amendment RA1 lost]

**The Speaker:** Hon. members, I believe we're back to discussion on the main motion, Bill 17.

The hon. Member for Calgary-South East.

**Mr. Fraser:** Thank you, Mr. Speaker. I'm pleased to rise today to speak to Bill 17, the Fair and Family-friendly Workplaces Act. This



bill aims to hide amendments to the Alberta Labour Relations Code that tip the scales heavily in favour of organized labour by wrapping them in smart, common-sense, compassionate updates to the Employment Standards Code. I'm sure the government hopes that one of two things comes out of this political sleight of hand: either they shame Albertans into supporting the labour relations amendments, which in no way reflect the modern realities of employee-employer relationships in Alberta; or they equate the opposition to labour relations amendments with opposition to the employment standards updates and brand us all as villains. But that couldn't be further from the truth.

For the record, my colleagues and I wholeheartedly support the job-protected leave provisions that would prevent employees from losing their jobs for things like taking time off to care for critically ill children or flee a domestic violence situation. Of course we do. To suggest otherwise is plainly untrue and a wilful attempt to mislead Albertans. But then again, Mr. Speaker, I'm not surprised that this is the level that this government would stoop to. It's behaviour that we've come to expect from the NDP. If they can't win on the strength of their own arguments, they spear their opponents with flat-out lies. If this government was confident that its proposed changes to the Labour Relations Code were anything other than a quid pro quo to NDP union friends, then they would let those amendments stand on their own.

But by combining these amendments with common-sense updates to the Employment Standards Code in the same bill, the NDP is actually admitting it has no confidence that Albertans would accept the pro-union, anti-employer provisions in this bill on their own. Why won't Albertans accept these provisions on their own, Mr. Speaker? Well, could it be the pitiful 36-day consultation, which in reality is an insult to every employer in this province? Thirty-six days is not nearly enough time to adequately consult with job creators on legislation that will have a major impact on how they run their businesses and how much it will cost them to keep their doors open.

The Minister of Labour likes to brag that a thousand employers took part in the consultation. Well, considering there are more than 169,000 businesses in Alberta, the reality is that she consulted with less than 1 per cent of Alberta's employers, yet the minister insists that this was enough to get an accurate read on the business community and their concerns. What we heard from stakeholders is that it was not.

On April 11 the president and CEO of Alberta Chambers of Commerce sent a letter to the Labour minister to outline his members' concerns with the consultation process. He said:

No matter how modest the scope for the review, [the government's] methods and timelines for engaging employers does not constitute as widespread consultation.

He goes on to recommend that the minister extend the consultation period and make a greater effort to meaningfully engage employers across the province.

The Alberta chambers went on to say that the government's approach to consultation left his organization

deeply concerned the outcomes for this and related labour legislative reviews have been predetermined, and are little more than "windshield wiper" legislation where changes in labour legislation [are] the rewards of regime change.

Mr. Speaker, that is a scathing indictment of this government's consultation process if I ever heard one. Given that the minister refused to extend the consultation and engage in a meaningful way with the employers and job creators across the province, I would say that the Alberta chambers' concerns about predetermined outcomes are well founded.

Then there's the removal of the secret ballot for union certification. The government cites the potential for employer

intimidation as the rationale behind a 65 per cent threshold and a six-month card-signing period. But surely they can acknowledge that there's just as much potential for unions to intimidate employees into signing. If at the end of that period they have between 40 and 65 per cent of support but have failed to reach the magic threshold, then the employees get their secret ballot vote. But realistically by the time the secret ballot rolls around, everyone will know who the holdouts are, which defeats the purpose entirely.

I've listened to some of the government members that insist the secret ballot for union certification remains in the Alberta Labour Relations Code. That may be true, Mr. Speaker, but it will continue to exist in name only. After this bill is rammed down Albertans' throats in the middle of the night sometime in the next few weeks, it certainly won't exist in practice.

Mr. Speaker, the fact of the matter is that the proposed changes to both the labour code and the Employment Standards Code are completely unrelated. The only reason they appear together in the same bill is to provide the government with political cover, the same political cover that Amanda Jensen provided when they brought her into this Chamber last week and used her as a shield to defend against any criticism of this proposed legislation. It was a shameful exploitation of an Albertan's hardship, and the Minister of Labour should be embarrassed for using this woman to serve her political agenda.

We've heard many of my colleagues on the opposition benches agree that there are a great many proposed changes to the Employment Standards Code that we could wholeheartedly agree with, but to package them with major changes to the Labour Relations Code and make it even harder to own and operate a business in this province, Mr. Speaker, is dirty pool. Considering the fact that the majority of the businesses in Alberta are small and medium-sized enterprises and these small companies employ more than 80 per cent of the entire workforce in our province, the government's proposed labour relations amendments have potential to put a great many Albertans out of work, and we simply can't support them.

The lie that the government consistently tells Albertans, that big business is the target of the majority of their changes . . .

10:00

**The Speaker:** Hon. member, I'd just caution you. You know the sensitivity to the word "lie."

**Mr. Fraser:** Fair enough. I retract that.

But saying that big business is the target of their changes, Mr. Speaker – well, big businesses can afford it. Big business can live with a nominal amount being shaved off their massive profits. But let me repeat the statistic that I cited for the benefit of the members on the government side: 80 per cent of the entire workforce is employed by small and medium-sized enterprises, not big business. These companies just can't afford it, full stop.

When the government took office in 2015, Alberta's signature entrepreneurial spirit was strong. People from across the country and the world knew that if you had a dream of owning your own business, the best place to do it was in Alberta. But with hikes to personal and corporate income taxes, massive increases to the minimum wage, and, of course, the carbon tax, it's getting harder and harder for these Albertans to keep their dreams alive. When these businesses fail as the costs imposed on them by governments eat up their razor-thin profit margins, they have to lay off their employees. This government ought to think about that the next time they congratulate themselves for sticking it to big business.

Again, Mr. Speaker, while I support the common-sense, compassionate, job-protected leave provisions in this bill, I can't

support legislation that will put more small and medium-sized enterprises out of business, resulting in even more job losses for hard-working Albertans. I strongly urge the government to separate the Employment Standards Code amendments from the Labour Relations Code amendments and allow the Assembly to debate them separately.

I want to speak on a personal note. First of all, when I say this, I'm not saying that I don't support unions. That's false. I'm not saying that I don't support that the employment standards need to be strengthened to support Alberta families. But I come from a unique place: I was the president of CUPE 3421 and I was also the son of a father who owned a small business in this province for over 40 years. I can tell you that my father conducted his business in a way that if I am half the man he is by the time I am dead, then I have achieved something because I can tell you, Mr. Speaker, that when he could give, he gave; where he could train, he trained. Many of those people that worked for my father now own their businesses because of what he taught them. At the height of the business he had 25 employees. That's 25 families. He had good benefits, good vacation time. He was a caring and compassionate employer.

But, Mr. Speaker, at the same time, with that, with being an employer and being responsible, there are times where you have adversity with your employees, especially as you start to grow those small and medium-sized businesses. All I'm saying, when it comes to the Labour Relations Code, is that there is a far more fulsome debate that we can have about the code that would strengthen unions, that would benefit the members of the unions, not the executive of the unions but the members of the unions, because that's really who we're talking about when we want to strengthen those. I can tell you that, yes, there are bad employees, but there are also bad unions. And the ability to open up the Labour Relations Code and have a fulsome debate separately from the workplace standards would serve all members of this House better and all people in this province better and the members of those unions. That's all I'm saying by this.

To wrap this up and to vilify people one way or the other is just not right. Mr. Speaker, what I can tell you is that this caucus does support those compassionate, common-sense goals and changes to the Alberta labour relations standards. I can tell you that this caucus would also welcome a fulsome debate, a fair debate around the changes in the Labour Relations Code.

**Mrs. Littlewood:** Before you vote it in.

**Mr. Fraser:** Mr. Speaker, it is interesting. I'm speaking of experience. I'm speaking with passion and care for this province. To be labelled something different is unparliamentary. It is immature. I respect this government. They're going to do what they're going to do. At the end of the day, Albertans will be the judge, not me, but I think it's fair that everybody in this Chamber have the opportunity to speak without being vilified, without being predetermined. We have talked about this before. We have talked about human rights and not labelling somebody by a title or a party or a gender. It needs to stop. We all need to grow more wise in this Chamber, more mature in this Chamber, to respect the difference of opinion and figure out how those different opinions can come together to serve Albertans.

Mr. Speaker, once again I ask and urge the government to separate these two pieces of legislation so Albertans can be respected in their points of view. Thank you.

**The Speaker:** Are there any questions or comments for the Member for Calgary-South East under 29(2)(a)?

**Mr. Strankman:** Mr. Speaker, it is indeed an honour to rise and comment because as the member was making his marvellous delivery, I noticed that there was heckling coming from the other side, particularly at the most passionate moment of the member's delivery, and I was wondering how he felt about that.

**Mr. Fraser:** Mr. Speaker, I can say, with a degree of experience in this House, that we're all passionate. We all take a position. I do believe that everybody in this Chamber is trying their best to represent the constituents that elected them. I think, again, that not only do we do a disservice to this Chamber, these buildings where so many great decisions have been made on behalf of Albertans of all governments at some point – the member asked me how I feel about those things. Again, I can only speak for myself. I know I'm not perfect. In fact, just the other day – you know, I too get wrapped up emotionally, but I do make a point that when I feel that I maybe have offended another member, I take the time outside of this Chamber to apologize, to explain myself, to get to know that member's point of view.

Mr. Speaker, we need to remind ourselves that in this Chamber it is not politics; it is service. It is service to Albertans in the most sincere way. I don't have to come to this Chamber. When I wake up, I don't say: I have to come to work today. I get to come to this Chamber, and I feel deeply privileged. I feel honoured, and I'll continue to serve in the best manner, regardless of heckles, regardless of point of view. All I can do is to be sincere. I think all we can ask of all members is to be sincere, be passionate, and try to be respectful.

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

Are there any other individuals who – the Member for Barrhead-Morinville-Westlock. To the motion, hon. member, the main motion?

**Mr. van Dijken:** Yes, for second reading. Thank you, Mr. Speaker. The fact is this. The compassionate care components of this bill are separate from the labour code changes and, I believe, should be treated as such. How union certification operates, for instance, is an entirely different subject than whether or not workers are able to take protected leave. The Official Opposition along with the other opposition parties have made this point very clear. We believe that this bill should have been split into two separate bills in that we would be able to move forward in a unanimous manner with regard to many of the Employment Standards Code changes that are happening or that have been presented in this bill, and we would be able to move forward in a way that we could get these types of changes to Albertans.

I've got to reflect, Mr. Speaker, on how this government has been fairly disingenuous right from the start of the labour review and how the Minister of Labour continued to answer questions with regard to the Labour Relations Code report that Mr. Sims was going to present. We asked questions, whether or not we'd be able to see that report. We asked questions about the labour relations act, and the minister would continually deflect and deflect towards the employment standards, trying to make it look like they actually care about Albertans.

**10:10**

I must say that it's quite concerning that I see that the minister and the government and the members of the governing party are buying into this mantra, that is being essentially proposed to us by their big union bosses, on how they claim to be all about protecting Albertans and that the employment standards of Albertans are top of mind for them. Yet we see implementation dates with regard to the compassionate care components of this bill – not till January

will we see these parts of the bill implemented, yet the other parts with regard to the Labour Relations Code and so on will be implemented by September 1. This is concerning, Mr. Speaker.

The intent of this bill by the title – it's talking about fair and family-friendly workplaces, yet I'm not sure that that's the true intent of this minister. It appears to me that this minister is hiding behind the employment standards portion of the bill to try and cloak a certain amount of secrecy behind the labour relations part of the bill. This should concern all Albertans. This should be top of mind for all Albertans, that big business, big unions are essentially utilizing this government and the members of this governing party as tools in their hands.

Many people think that unions are only there for the sole purpose of representing their members, but I would suggest, after many years of watching and seeing how unions operate, that they have become more about themselves than about their employees and the people that they are supposed to represent. It's more about the money that they take in than about making sure that they're doing proper representation of their people. It's quite often that we see that it's more about their political activism as opposed to working on collective bargaining for their employees.

Mr. Speaker, I have a lot of concerns on how this minister has decided to move forward with regard to the changes in the Labour Relations Code and the Employment Standards Code. I have grave concerns on how the process of consulting with Albertans and the labour review, that was done in March – a 36-day labour review, I would suggest, is not nearly fulsome enough in order to ensure that we are hearing from all stakeholders in Alberta.

The Minister of Labour has a job to do, and that is to ensure that workplaces are safe and that the employees there are being taken care of but also to provide an environment that allows job creators to come to this province and invest in this province and show that they are providing good, well-paying jobs so that all Albertans can move forward with a standard of living that we have been able to enjoy for many decades now.

But this government is rushing through major changes, Mr. Speaker, a 124-page bill, that was introduced just last week, I believe, on Wednesday. Here we are, we're a week later, and we're all expected and Albertans are expected to be able to discuss it intelligently and debate it and reflect on it. The government introducing this right at the end of session, I would suggest, is also providing a certain amount of cover for the fact that they are not prepared to properly go out and consult and defend the direction of this bill.

My concerns primarily, Mr. Speaker, are on how the labour review was done. We had many times where we were trying to encourage the minister to enhance and get more input, extend the consultation period, yet, no, the government has decided that they're just going to move ahead based on their ideology and based on what they believe is the right way forward, not necessarily consulting with Albertans to get an understanding of what Albertans believe is the right way forward.

I would suggest, Mr. Speaker, that in Alberta we've had relative labour peace for over 30 years, and over those 30 years employers and employees have both been able to be quite successful in maintaining a standard of living in this province that most people in the world would be very envious of. I believe that it's our role as government, as Members of this Legislative Assembly to continue to provide an environment for opportunity to succeed and for investment to actually come to this province and see an opportunity for success.

When we have over 30 years of relative labour peace, it would signal to me that the system is not broken. Yet this government has decided that: "Oh, the system is broken. We have to change the

system. The Labour Relations Code is broken." Who decided that the Labour Relations Code was broken? Did Albertans come to them and say: "We need this change. This is not working"? Employees didn't come to them saying that this is not working. It was their big union bosses that came to them and said: this isn't working; this isn't right. Now Albertans are going to be sitting holding the bag.

I think it's quite concerning that this government, that's supposed to be here to serve the people of Alberta, is more about serving their big union bosses and moving forward with an agenda, I would suggest, that is trying to simplify – and these are words from the minister's mouth, to simplify – the union certification process. Why? Why is that necessary? Because the big union bosses have decided that it's necessary. It makes their life easier, Mr. Speaker. Why are they using this government just to make their lives easier? They have a failed business plan, I would suggest, that they have not been able to implement properly for what they would like to see. Their business development strategy is not growing at the rate that they would like to see, and now they're using the government to put in rules that will simplify their work. Is it the role of government to simplify the work for these big union executives so that they can get more members, so that they can grow their membership? I don't believe so.

I believe it's the role of government to ensure that we have the ability to protect the job opportunities and create jobs for everyday Albertans to the best of our ability. Yet this government is bending over backwards for their big union bosses. It's quite concerning that they come forward under the guise of compassionate care leave and under the shell of employment standards improvements to try and hide from Albertans what their true intent with this Labour Relations Code and this bill is. I think all Albertans can see through this. I think all Albertans will recognize that this government is not acting on behalf of Albertans or serving everyday Albertans.

The Member for Calgary-South East had mentioned small businesses creating 80 per cent of the jobs within this province. What is this government doing to help small business to create more jobs? Well, let's talk about unionization. That should create more jobs.

I would suggest that this bill is creating more uncertainty, more instability within the province, possibly on a road to creating an environment where we cannot enjoy the labour peace that we've had for many decades, where employers and employees came together and saw that there's opportunity for everybody to succeed and that they were able to move forward in a collaborative manner and enjoy the ability to create wealth in this province and to share that.

**10:20**

For government members to believe that the small-business employers of this province have been taking advantage of employees, I would suggest, is few and far between. Having been a small-business operator and having had employees, the reality is that if you're not providing the necessary programs and compensation and benefits that would be competitive within the job market – and that's what it is; it's a job market. Our labour, the work that we do, is a market. It is a commodity just like anything else. We have to recognize that the ability for us to actually have work and have compensation for that work comes from a marketplace. We can think that we can take more out of the marketplace and it won't affect the market, but it does.

If we get into a situation where we have now put in place guidelines that are legislated down to businesses and those businesses are not able to change their business plans and work within those guidelines with regard to the competitive marketplace

in which they exist, those small businesses close. That's the reality. Those small businesses decide that this cannot continue. They close, and those jobs are gone.

So, Mr. Speaker, we need a government that recognizes where we have significant breaks in our system, where we need to do better within our system of employment standards and labour relations. But for this government to come forward with this bill and try to hide behind the employment standards improvements that are in this bill while implementing their agenda from their union bosses, that should concern all Albertans, and I think Albertans will judge them for that accordingly. They will be judged accordingly for the way they're moving forward with their ideology.

It is concerning that a government would serve the interests of big union, of their big union executives over and above the interests of all Albertans. We've received many letters – I've received many letters, and the minister has received many of those same letters, and the Premier has received many of those same letters – from individuals, from stakeholders, from businesses, from companies essentially saying: "Whoa. Slow down. We were not properly consulted."

**The Speaker:** Hon. members, under 29(2)(a), any questions or comments to the Member for Barrhead-Morinville-Westlock?

Seeing and hearing none, the hon. Member for Vermilion-Lloydminster.

**Dr. Starke:** Thank you, Mr. Speaker. It's a pleasure to speak on Bill 17 today. I want to preface my comments by stating that one of the beauties of a legislative Chamber and the design of a legislative Chamber is such that many people from a range of backgrounds and from a range of experiences and from a range of, you know, let us say, preconceived biases come together to exchange ideas and to exchange arguments in a hope to be able to hammer out the best legislation possible for the province. That's the idea. At times, unfortunately too often, I think that we fall short of that ideal.

I'm going to try to forge ahead today, relating some of my personal experiences and how they relate specifically to clauses within Bill 17 and where I support several areas of Bill 17 but where I also have grave reservations about Bill 17. I will say that one of the concerns that I do have – and it's been mentioned before. You can use a number of different metaphors to describe this, you know, whether you call it a Trojan Horse, whereby something that looks attractive is accepted in order to hide something much more nefarious inside. I use a much more simple metaphor. It's what we used to do when we had difficulty giving medication to patients. Some medications just don't taste good to dogs and cats, but if you wrap it up with something that they really like, they'll swallow it, and they won't even know that they got it. That's exactly what this government is doing with this piece of legislation. It's wrapping up something that's distasteful to the vast majority of Albertans into something that we can all agree with.

We're asking this government to unwrap that bitter pill. We're asking this government to separate the bitter pill and make sure that that bitter pill is something that the majority of Albertans want and not just a small group of union leaders. But no. That's not what they want. In fact, they very definitely want to take out the balling gun – and you can look that up if you're not sure what that is – and they want to ramrod this bitter pill, coated with whatever it is that will make it more palatable to Albertans.

Mr. Speaker, I want to go back and talk a little bit about biases. I grew up in a union household. [interjections] Wait a second. You might not like this all. My father was a reluctant dues-paying member of the Amalgamated Meat Cutters and Butcher Workmen of North America local P243 for the majority of his working career,

until that union was amalgamated into the United Food and Commercial Workers. I, too, was a member of that union for two summers. I will tell you that the issue that my father ran into repeatedly as a worker, as someone trained in Europe as a skilled tradesperson – being a butcher in Europe is something that actually takes several years of apprenticeship, and you eventually become a journeyman butcher – was that he faced intimidation and bullying throughout his career because of his level of work ethic.

My dad showed up early for work. He typically showed up half an hour early so that he could keep his knives sharp prior to going to work. He stayed late. He accepted overtime whenever it was offered. He would not go on the unauthorized – and I won't use the term because it's unparliamentary. But in addition to coffee breaks and lunch breaks, the union encouraged all workers to take additional breaks. I guess we'll call them smoke breaks because a lot of the workers did smoke. They were additional 20-minute breaks that were not part of the working schedule, two of them during an eight-hour shift. Mr. Speaker, my father refused to take those. My father was called all manner of names and insults because he believed that it was his duty to the employer to work for the wage he was being paid.

Many times – because, like I say, he became quite senior working at the plant – the union asked him to become a steward or to become a leader within the union leadership, and he consistently refused. There were a number of work stoppages over my childhood where my father was either locked out or there was strike action taken. I can tell you that those were the most nerve-wracking days of my childhood. I can remember my mother turning on the television each and every single day to see if the strike at Canada Packers was over.

So I understand that the members opposite see the good side of unions and that they have a very pro-union outlook on this and they see the positives of unions. I get that. I say that, absolutely, there is an important place for unions to play within the basic protection of workers' rights. I would not want to be in a society where we did not have an organized labour union movement because I think it provides a very important balance within our society and within our economy. But that being said, to suggest that everything about unions is positive and everything about unions is universally good has not been my experience, and it's not been the experience of a lot of other Albertans, too. That's something that I think you need to recognize. We understand that you are positive on unions. That's fine. You absolutely have the right to hold that opinion, but not all Albertans do.

**10:30**

Now, moving forward, after my experience for the two summers that I worked at Canada Packers, where I was a union member from 1985 to 1991, I sat on Lloydminster city council, and during that period of time I was twice involved as the city's representative on the negotiating committee on the renegotiation of the out-of-scope contract with our union. It happened to be a local of the Canadian Union of Public Employees. I will tell you – and many of the people that sat at the table opposite me will tell you the same thing – that at times those negotiations are the biggest waste of time and effort I have ever seen because so much of it is chewed up and wasted in posturing on both sides. These negotiations happen. They each have their hired gun. We had our hired gun. CUPE had their hired gun, and they came to the table with a whole bunch of provisions and a whole bunch of demands and requests and all the rest of it.

You know, we would go out for a break in the negotiation, and I would talk to the employees that were on the committee because I knew these people. You know, they were folks that came to my business. I knew them from the work that they did, and I'd ask

them: are you really wanting this provision or that provision? They'd say: well, not really, but they told us to put it in there because we needed some bargaining chips. I said to myself: you know, I bet we could wrap this thing up in about two hours if we kicked our hired guns out of the room and just sat down face to face, employer to employee, and worked this out, and I think we could come out to an agreement that was amicable. But, no. Instead, we had this very adversarial and drawn-out relationship where, in my mind, the only people that benefited were the hired guns for our side and for their side.

Now, during my time on city council, Mr. Speaker, I was also the chair of our local seniors' lodge. During that period of time the employees at the seniors' lodge made the decision that they wished to become unionized, or they made the decision that they wanted to go through a certification process. Of course, it is their right to do so, and they had a secret ballot to do so, which, in my opinion, is something that is so fundamental and so clearly obvious, that a secret ballot should be the way this should be done, so that there cannot be intimidation, so that there cannot be any public knowledge of how an employee wants to vote, whether yea or nay, and there can be intimidation on either side.

Now, I knew the vast majority of the employees that were working at the lodge, and, you know, some of them asked me, "What do you think?" I said: "You know what? It is your decision. This is your decision. You decide what you feel is best for you and your family." In fact, we were quite specifically told that we were not to speak to the employees, nor were we to indicate to the employees a preference one way or another on the certification vote. That's, to me, as it should be. This carding provision, this 65 per cent provision that's provided for: that's one of a number of bitter pills to swallow. So I've been through a certification process. I get that.

Now, the majority of my adult life, Mr. Speaker, I was a senior partner of our veterinary hospital. We started with two employees. When I retired, in 2011, we had 25 employees. We were not a union shop, but I can tell you that when I read through the provisions that are going to be proposed and many of the provisions that are in here, we've dealt with just about all of those situations in the close to 30 years that I operated our practice. We dealt with many situations of, certainly, bereavement. We dealt with critical illness of a child. We dealt with domestic violence, sadly, for one of our staff members. I guess the only one that we didn't have to deal with was the incidence of death or disappearance of a child.

We provided in most cases, actually, in excess of what was required by the proposed legislation to our employees. Why did we do that? Mr. Speaker, labour – and not just labour in general but your employees – in a small business are your most valuable asset. They're the most valuable thing that you have. They're well trained, they are dedicated, they are passionate, and they are loyal if you create a culture within your business that causes them to want to be loyal. That's what we tried to do in our business.

I think and I have reasonably good evidence that we treated our employees extremely well. We had a number of employees that would leave for one reason or another and then would come back. I think the record on that was one employee who came back five times. She was a great employee. We loved it every time she came back, and we were sad to see her go every time she did, but we said: "You know what? She'll be back." We had employees who came to us after they had left us and said that that was the worst decision they had made, that they loved the job that they did with us, and we had other employees that went on to other things but yearned for the days that they worked for us in our clinic. It's because we treated our employees with respect. We paid them a fair and living wage. We gave them the time off that they needed.

We were ahead of the curve considerably amongst other employers in our category in terms of providing benefits and providing a pension and providing employer contributions to that pension, in terms of giving a number of other benefits to our employees. I think that that package and that respect to our employees were part of the reason that our practice was named business of the year in Lloydminster in 2011 and why we were at one point nominated for small business of the year by the Alberta Chambers of Commerce a number of years ago. It's about respect.

As far as some of the provisions here, you know, I will tell you that the provision for increasing maternity leave from 15 to 16 weeks I'm absolutely in favour of. In terms of compassionate care leave – I want to be very specific here – I'm in favour of increasing it from eight to 27 weeks. Compassionate care leave is in place in Alberta because of a private member's bill that was introduced by a former colleague of mine, who's now an MP, Matt Jeneroux. Matt was the Member for Edmonton-South West. In a private member's bill he introduced compassionate care leave, and it was supported by the members of this House. I'm quite happy to see the proposal to expand it to 27 weeks. I think that's a very positive thing. Before members opposite suggest that nothing was ever done for employees, that's simply wrong, so I think that is something that you have to recognize.

You know, moving on, there are other concerns that I have. I guess one of the concerns that I have with this bill is that just about universally the notice required for the return from these various leaves is only 48 hours. Quite frankly, Mr. Speaker, to be fair to the employer, who has provided leave and in some cases will have had to hire somebody to replace that person on leave, I think 48 hours is a little too short. Now, in some sections that are being amended, that notice is two weeks. If two weeks is too long, okay. But 48 hours, in my view, is really short. There's a lot of adjustment that has to be made when an employee returns, and I would suggest – and I'll be making an amendment to this effect – that something around a week would be more reasonable for both employer and employee.

Mr. Speaker, I want to come back and just conclude my comments by saying that this legislation could be passed, and some of the sweet outer coating that you put on the outside of this bitter pill could be swallowed very easily by all members of this Legislature. I urge the members of the government to consider doing that. As far as the bitter pill goes, if that's something that they want to do as well, well, I'd encourage longer consultation, but if they want to have the debate on that, let's have the debate on that. There is broad agreement on a lot of areas of this bill. Certainly, I agree with a lot of areas of this bill, and I would urge this government to reconsider having this go through all as one large, unpalatable package.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Decore under 29(2)(a).

**Mr. Nielsen:** Yes. Thank you, Mr. Speaker. I just wanted to thank the Member for Vermilion-Lloydminster for sharing his story about his father's experience. I guess I just wanted to offer a bit of a comment on that. You know, when I hear things about people taking additional breaks, I had to deal with some of my own members in my own workplace at Lucerne who tended to take those extra things, and I always had to caution them: that's not a very good idea because the company could come back to you and call it time theft, okay? When I heard the story about your father getting pressured to take additional breaks, that was definitely very concerning. It's too bad that he had to experience those types of

things. I know, certainly, that I myself would never ever coach a member to do that kind of thing because it puts them considerably at risk.

**10:40**

With regard to starting early and staying late, I saw members that did the same thing in my workplace, too. You can't help but commend them for their loyalty, for their drive to want to do the absolute best that they could possibly do for their employer. But just a little bit of caution that I always used to give members with that type of enthusiasm: should something happen and they are hurt during that period when they've started early and they're not actually on the clock or they've stayed late and they're not actually on the clock, there's a risk that they could not be covered with regard to an injury. Again, I certainly would never coach members to do that, but kudos to your dad for wanting to be that level of employee, that example for everybody to follow.

The other comment I just wanted to make was with regard to how you used to run your business, that culture that you were building to create that loyalty, and I have to commend you on that. You know, that is the type of thing that we like to try to promote companies to do, to set that example, to lead the way for everybody else to try to match those same standards. So, first, thank you for doing that.

The one thing that I've learned from my time with the labour movement is that when employers are doing that kind of work to create that culture, you know, where the loyalty is there and you're willing to put in absolutely everything for that business, that is to be commended. But I've also noticed that those workplaces very, very, very rarely will ever become union shops because of that desire to create that atmosphere for their employees. They don't need it. I just wanted to share those comments with the member.

Again, I'm hoping that we can move forward with this as a package because, you know, when we're talking about compassionate leaves and all the different labour regulations, that's all encompassed. That's called labour language; that's called labour rules.

Again, thanks to the Member for Vermilion-Lloydminster for sharing those stories and for being an example employer for everybody else to follow.

**Dr. Starke:** Well, Mr. Speaker, I certainly want to thank the Member for Edmonton-Decore for his comments, and I have only a very brief few seconds to reply. I will tell you that with regard to what he mentioned, you know, about being early and staying late and not being covered, Dad clocked in, Dad clocked out, and Dad checked to make sure that he was covered. There was, actually, a doctor on-site at the plant. He was also our family doctor. He was also, sadly, the doctor that diagnosed my father with leukemia when he turned 60. But he worked an additional five years at the plant because he loved it. He loved his work.

I do want to say that I'm glad to hear that in your relations with your union members you discouraged what I'll call the abuse of the employer. You know, there has to be a balance here. There has to be a give-and-take here.

Finally, with regard to the way we ran our own clinic, you know, there's no legislation that required me to do those things. I mean, now there is and now there will be, and that's fine, but . . . [The time limit for questions and comments expired] Anyway, thank you very much.

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

**Mr. Cooper:** Thank you, Mr. Speaker. I rise to speak to Bill 17 today, and I just want to touch on three main points: some of the

things that I and we support in this piece of legislation, some of my concerns with this sort of all-encompassing belief from the government that unions act without any sort of bullying or intimidation and that they all act purely, and then just highlight some of my concerns with what may in fact be some ethical breaches on behalf of this government when it comes to their connections to big labour and exactly how that may affect this particular piece of legislation.

First and foremost, like many, I support significant aspects of this piece of legislation, and those sections have been clearly identified by a number of my colleagues and by the member who just spoke. It is very clear that this piece of legislation does many good things. It's also clear, as the previous member rose to speak about, that those good and important things that are taking place in this piece of legislation are being used as political cover for systematically changing the way that unionization happens to place an unfair advantage in the direction of the union as well as against the employer. There must be a better balance struck.

From the get-go this piece of legislation has been a concern, particularly around the consultation. I know that my colleagues have spoken at length with respect to the consultation on this piece of legislation, the 36 days, the fact that we never actually saw the report from Mr. Sims, the fact that the minister dodged questions day in and day out about whether or not they would be ramming this piece of legislation through at the end of session, would they be consulting over the summer, all of which was: dodge, dodge, dodge.

Now we've seen exactly what their plan was the whole way along, to rush this piece of legislation, these 124 pages of legislation, through in the dying days of a session while we spent significant periods of time debating things that there was widespread agreement on. Lots of times that can be a good thing. But when we are talking about tax statutes amendment acts or securities amendment acts, which in many respects are tidying up legislation, unifying pieces of legislation, it's disappointing.

[Ms Sweet in the chair]

I think that happened for two reasons. One, the government hadn't yet sent their bill to the printers. I think that's very evident in how the initial bill was presented to the House on photocopied paper, rushed – rushed – through the night, I can only imagine, until yesterday or the day before, when we actually got a copy back from the printers that looks much more like this piece of legislation, not like the one that was introduced, that was merely photocopied in the back of the Minister of Labour's office while they were efforting to try and get it here before session.

One of the reasons why I think they did that was to try to put some appropriate amount of space between the consultations that took place and when the bill was introduced. We have these conflicting sorts of pressures: one, to get it introduced, so we're rushing it into the House; and, two, needing to put space between when we actually closed the consultation and having it not look like it was already written. But at every turn this is not a good way to legislate.

While the government has done a horrible job of legislating on lots of different issues and a horrible job of consulting on a number of different pieces of legislation, there are a couple of bright points for the government – I'm more than happy to point those out – particularly around the MGA and the way that the piece of legislation was introduced. They took some time, consulted widely with municipalities, left it on the Order Paper, spent an entire break between sessions to ensure that they got it right. In many, many respects this is a great way to legislate.

So far we've tried to send this bill to committee so that we could have some further discussion about it. We've provided a reason why it shouldn't proceed, around the need for more consultation. It wasn't just us that said it. Many business owners, many nonlabour groups that have significant concern, who have felt like they haven't been consulted, are raising those same concerns.

**10:50**

The government clearly understands how to do this process, but what they pick and choose to do the process on is what's very concerning. Pieces of legislation like this, that potentially the government will feel some pain on, they don't consult on, they rush through the House in the dying days of a legislative session. Pieces of legislation that they don't particularly like or that they're unsure what to do with they send to committee, like Bill 203 from the hon. Member for Drumheller-Stettler, that was specifically to do with funding announcements during elections, that would have had a negative impact on the government. First it got killed, then revived, then sent to committee to die again. On another Bill 203 the government is a little unsure of what to do, so they want to have more consultation around changing the clocks. Listen, I support that consultation.

This piece of legislation is critically important to the future of our province, yet they don't want to spend the summer consulting on it. They don't want to do that, and they're doing it under the guise of needing to get compassionate care and the other important issues in this bill passed. Well, Madam Speaker, if that was the case, when do you think the coming-into-force date for such an important clause would be? Would you say before the summer, when the bill passes; after the summer; or in January next year? I would have thought that if that was the primary purpose, it would have been when the bill passes. On all of the issues that they are saying are the most important pieces of this bill, they're waiting till January of next year to put them into place, but on all of the things that aren't as important according to them, doing away with secret ballots, no, they come into force in September, just after the summer.

So they're sending some very, very, very conflicting messages about what the purpose of Bill 17 actually is. Now, I believe that they are genuine in their desire to have these important changes, but they're certainly talking out of both sides of their mouth when it comes to the process, when it comes to the coming-into-force dates. Albertans should be concerned about exactly what the motivations are behind a piece of legislation like this.

Now, I've also heard the members on that side speak significantly about how this doesn't have to do with their big union bosses and friends in labour, but the connections to those groups are so deep that it's very difficult to not draw the conclusion that that's what Bill 17 is really about.

For example, Madam Speaker, you'll know that two members of the executive of the AFL are also automatically guaranteed as two members of the executive council of the NDP. Interestingly enough, who were the individuals that were invited to every single one of the consultation meetings?

**Mrs. Aheer:** Who was it?

**Mr. Cooper:** It was members of the AFL. I know that it's hard to believe. But you have these very, very close connections of big union bosses in the province to the political party of the NDP, and now we see the NDP acting on the things that those union bosses wanted.

I do find it interesting. If you look in the NDP platform from the last provincial election – I won't use her name, but she currently

sits in the Premier's chair – it was her commitment to you and your family that:

- (2.3) We will strengthen the Conflict of Interest Act . . .

Listen, I also would support such a thing.

. . . to prevent MLAs from using their position to benefit their own financial interests or that of political friends.

I can tell you, Madam Speaker, that you don't put two of your enemies on your political party's executive council. You don't do that.

Now, I understand that the NDP is claiming that they've put two of their enemies on the oil sands advisory council, but you certainly wouldn't do that to a political party. I wouldn't describe the AFL as enemies of the NDP. I would describe them as their friends. There is significant benefit to the AFL when Bill 17 comes into force. I would never presuppose a decision of the Assembly, Madam Speaker, but I've got a good feeling on this one that the government is going to be supporting Bill 17 and that there's going to be a significant net benefit to the AFL, who is the political friend of the NDP.

There certainly seems to be a pretty significant conflict, with the government saying one thing and doing another. Now, you know, Madam Speaker, that I've spoken a significant amount in this House about the government's track record when it comes to saying one thing and doing another.

**Cortes-Vargas:** You're not the Ethics Commissioner.

**Mr. Cooper:** And this afternoon we're going to have another example of the government saying one thing and doing another, and I look forward to speaking about that in question period.

I heard the member say, "You're not the Ethics Commissioner," but it will be interesting to see what the Ethics Commissioner has to say about this very issue. I happen to know that my hon. colleague from Lac La Biche-St. Paul-Two Hills is literally meeting with the Ethics Commissioner in four minutes to have a discussion about this issue because we have some concerns.

The other thing that's equally as important as what the Ethics Commissioner may or may not say is that just like the Premier, when she was in opposition, recognized that the legislation needed to be strengthened, the Ethics Commissioner has said on numerous occasions that the legislation needs to be strengthened. It's possible that she'll say that there is no personal or financial interest. That doesn't mean that what's happening wouldn't be found to be a conflict of interest otherwise, but because the language in the legislation is such, she may in fact not be able to rule.

A perfect example of that was just this week when I had the opportunity to meet with the Ethics Commissioner on another very, very concerning process that the government is currently engaged in. Even if the Ethics Commissioner wants to rule, she can't tell anybody about it because the legislation prevents her from doing that. The report will go to a minister of the Crown, who may or may not want to tell anyone about it.

So the legislation may in fact prevent the Ethics Commissioner from ruling, but that doesn't mean that there is not a very, very, very clear conflict of interest with the political friends of the NDP. I think that Albertans should be concerned. The best ways to make sure that this doesn't happen are two things: split this bill in two so that we can really, really address the issue; and secondly, consult over the summer so that we can get to the bottom of this and do the right thing.

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

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

Seeing none, are there any other members wishing to speak to second reading?

Seeing none, I'll now call the question.

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

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

[Fifteen minutes having elapsed, the Assembly divided]

[Ms Sweet in the chair]

For the motion:

Anderson, S.	Hoffman	McLean
Babcock	Horne	McPherson
Clark	Jansen	Miller
Connolly	Kazim	Miranda
Coolahan	Kleinstauber	Nielsen
Cortes-Vargas	Littlewood	Rosendahl
Dach	Loyola	Schreiner
Dang	Luff	Sigurdson
Feehan	Malkinson	Sucha
Fitzpatrick	McCuaig-Boyd	Turner
Hinkley	McKitrick	Westhead

Against the motion:

Aheer	Pitt	Strankman
Cyr	Schneider	van Dijken
Fildebrandt	Smith	Yao
Gill	Starke	

Totals: For – 33 Against – 11

[Motion carried; Bill 17 read a second time]

### Government Bills and Orders Committee of the Whole

[Ms Sweet in the chair]

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

#### Bill 17 Fair and Family-friendly Workplaces Act

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Airdrie.

**Mrs. Pitt:** Madam Chair, thank you so much. Before we get started here on the debate for Bill 17, I'd like to make a request that in dealing with Bill 17, the votes be separated so that we can vote on part 1 and part 2 separately: on part 1, the Employment Standards Code, sections 1 to 100; and then on part 2, the Labour Relations Code, sections 101 to 146.

**The Deputy Chair:** Thank you, hon. member. It's not debatable, so we will continue on with comments, questions, or amendments.

The hon. Member for Chestermere-Rocky View.

**Mrs. Aheer:** Thank you, Madam Chair. Again, it is with some concern that I rise to address Bill 17, Fair and Family-friendly Workplaces Act. We've had a lot of discussions around this piece of legislation and the largeness of it. The Member for Airdrie again is trying to put forward an opportunity . . .

**Mr. Westhead:** Could I just make a point of order?

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

### Point of Clarification

**Mr. Westhead:** Just a procedural question under order 13(2), that the Speaker explains a decision. With the motion that the Member for Airdrie made, I'm just looking for clarification on if there's a vote required on that motion or how that works.

**The Deputy Chair:** Basically, it's a request to have the bill be able to be voted on in two parts. It is not debatable; it does not require a vote. It's a request that can be honoured, as the member requests.

Hon. Member for Chestermere-Rocky View, please continue.

### Debate Continued

**Mrs. Aheer:** Thank you so much. As I was saying, we've had some time to discuss some of the parts of this bill. To my mind, I think there are a lot of giant assumptions that this legislation is either family friendly or fair, and I'm going to go into a little bit about why I'm suggesting that. The title, for me anyway – and I think that I can speak, quite frankly, on behalf of our caucus as well – is inappropriate given some of the contents of this bill.

I'm going to start with the not-fair piece of it. The bill – and I was speaking about this yesterday – opens the door to some extreme strong-arm tactics. If you look at the jurisdictions that have used the ability to have 65 per cent sign their cards, we don't know how they get to that number. Is it through intimidation? Is it through doing what's in the best interest of the person that's sitting beside you in how those cards are signed? Nevertheless, to get to 65 per cent signage on those cards and then to assume that that leads to an automatic doing away with the secret ballot is not fair. In fact, there should be a much lower threshold for triggering that discussion and to trigger an election that is democratic in order to make sure that you're representing workers.

11:20

As has been shown in some of the data, there are a lot of people who vote differently after they've signed their cards than they do if they have the secret ballot. But it's also been shown that having a secret ballot in no way takes away from a union's ability to unionize. In fact, if anything, that democratic process strengthens that union's ability to do that union under that because they've given that ability for people without having any intimidation or influence from anybody else to actually make the decision to unionize. Having a secret ballot actually strengthens a union's ability to defend the decision to unionize. That's one piece that I find is very unfair.

The other piece is salting. The fact that a person can be hired to start working to form a union right away and then leave without considering the impacts of their actions on the company or the employees: that is why a secret ballot is so important. If the decision to unionize is the right one, after that discussion happens, then that group of people should have the right with a secret ballot, without the influence of other people around them, to make the decision as to whether or not they unionize. Like with anything, a democratic process takes time to research. You need to be able to talk to the people around you. You need to make sure that that's actually the right decision for the company. The impacts of that could be huge, and I'll go into that a little bit more.

The Rand formula. This is really interesting. A company now has to collect union dues at the direction of the union – at the direction of the union – instead of the company and the union negotiating that collective agreement. The union doesn't have to ask for that, but if they do, the company cannot say no. So all of a sudden this government has in essence taken away the ability for a company to



negotiate their terms. All of a sudden that piece of democracy is gone as well.

So, first of all, we have the ability for intimidation to happen, up to 65 per cent of the cards that are being signed. Now we also have the fact that the union dues are collected at the direction of the union instead of the company. And guess what? It only applies to the private sector. It only applies to the private sector. So you have that piece.

Then the second one – this one is very interesting – is that . . . [interjections]

**The Deputy Chair:** Hon. members.

**Mrs. Aheer:** . . . there is suspension of dues during an illegal strike. Potentially, Madam Chair, this removes the penalty to the trade union for holding an illegal strike by cutting off the union from their funding. The business now is not collecting the union dues – the union is – and the question that I think we should be asking is: does the union want to strike? Is that the ultimate goal here, that we're actually wanting unions to strike? That is the question, because we have taken away any autonomy from the business to be able to work with the union and have some negotiating powers with those groups in order to make sure that it is in the best interests of all of those workers there.

Another piece I find very interesting is that that does not change for the public sector. Nurses and teachers can still carry on the way that they should, the way that it's been all the time, but the penalty only goes toward trade unions and illegal strikes. That's it. So we're penalizing one particular group of people, cutting them off by allowing them to hold an illegal strike. Explain to me how that's good for business.

Why is this government continuing to attack businesses? Why? You know, they keep saying over and over again that they are pro business. Well, I'm sorry; that is not pro business. How is it that we have one version for one group of people and a different version for the others? How is that working? I mean – wow – the government is showing its true colours. Unbelievable. Potentially, this removes the penalty to the trade union. They are taking away the rights of the business. [interjections]

**The Deputy Chair:** Hon. members, government members, we are in Committee of the Whole. There is lots of time for everyone to respond to comments and questions. If you could please keep the tone down to allow respect in the House for all members who are speaking.

Please continue.

**Mrs. Aheer:** Thank you, Madam Chair. The interesting thing is that potentially this removes the penalty to the trade union for holding an illegal strike. I'd like to understand how that works. I mean, obviously, there is lots of emotion and passion from the other side. Please explain it to us. I would love an explanation. That would be excellent. If I'm wrong, please explain it to me. I would love it. On top of that, I think it would be great for Albertans to understand and to actually hear from the government how this is going to work and benefit business. I would love to understand that. [interjections] You know, you'll get your opportunity to counteract anything that I'm saying, and I look forward to that discussion.

Okay. Now we're getting to the piece that I think is – this took me a little while. I had to read it over a couple of times. Under the present laws, the way that they look, we have something called division 25. This is something that's already in the legislation, and what happens with that is that presently, if there is an illegal strike, the union is held accountable, potentially by being fined \$1,000 a day. This is good, and that's still in the legislation. But, on balance, now with the changes to division 19 – and division 19 was this piece

of legislation that made sure that unions would have consequences for an illegal strike.

We were talking about the Ethics Commissioner a little bit earlier. I'd like to just take a moment to describe my impression and my understanding of this. For me, for example – and I can only use myself as a personal example – when we had the legislation on the home builders, I actually removed myself from those discussions because I am a home builder. I own a company, and I do those kinds of things. I removed myself from that. The reason I did that wasn't even because I might be held accountable. When I actually asked the Ethics Commissioner about it, he advised me that, based on my history and the things that I've been involved in, it would be better for me to not participate in those discussions, so I actually removed myself from those discussions.

I can use another example. We have things like the Stampede, that is coming up. Everybody has gotten that e-mail recently – right? – about what you're allowed to go to, how much money can be given to you in terms of tickets, and the limitations on those. We all got those e-mails, and there's a good reason for that. They're trying to make sure that we have those rules and that we also understand, in the back of our heads, that there are really big consequences for stepping outside of the premise of what the Ethics Commissioner is doing on that.

A lot of the groups that ask us to come to things are lobbying for our ability to be able to bring their ideas forward. There's nothing wrong with that, but if it's being incentivized by a gift, it could look bad. I personally appreciate those reminders from the Ethics Commissioner. I know that people look at my expenses every day. I get comments about my expenses all the time. Again, I'm extremely grateful for that. It's a level of accountability, I think, that all of us appreciate in this House. So that's one piece of it.

We look at division 19 and what is possible here. Again, please correct me if I'm wrong. If there is an illegal strike – and this is just within the private sector, so trade unions and that kind of thing. Right now division 19 has the ability to decertify a union if a union has an illegal strike. That is a great consequence for any group, especially if you consider a business. A business depends on its workers, and if the workers have an illegal strike, there are massive consequences for that business and everybody else that's involved in this because the business cannot function without its workers. In the consequences of division 19 there was an ability for that union to be decertified as the result of an illegal strike. I would like somebody to explain to me why that has been removed.

**11:30**

Division 19 has been struck from the legislation, and that is a massive level of accountability to that union and to the business that supports that trade union. The workers now have the ability to strike illegally and not be held accountable for that strike because this government has taken that piece and removed it from the legislation. Am I wrong about this? Please tell me if I'm wrong about this. How does that make life better for Albertans?

I mean, we were just talking about the political friends, about the AFL, about all of that influence, and now, not only that, the government has taken away division 19. We have the balance on one side where a union can be charged a thousand dollars a day, but then all of a sudden they can fund raise to keep that going. They are able to intimidate the business that they work for. With any business, depending on how large or small that is, they have families, and they have commitments to the things that they're doing. That's not to say that there may not be a good reason that maybe this employer needs to have consequences. There are consequences already. But all of a sudden the union has no consequences. How is that possible?

We look at the ultimate certification laws. They can stop sending these to the union. How long can a business actually hold out without workers? On top of that, the union has no consequences. This is the kind of legislation we're passing? That has been removed. That was accountability. How can you even call this bill to have accountability, to be family friendly or fair? How is that fair? How is that fair? And it only applies to the private sector. How is that fair? We're encouraging illegal activity. How is that fair? How is the government going to explain that to Albertans?

How is it that the government can take something that was already in there that was able to have a consequence for a union, a good one? Do you know what? In my understanding, it's never even had to be invoked because, most likely, you're thinking: "Oh, my goodness, if we do that, this could happen. We could lose our certification." But now this government has struck that from the record. It is removed from the legislation. How is that fair? How is that fair? I don't understand.

Like I said, when you're talking about the Ethics Commissioner and all of the things that all of us are responsible for in this House – and we have a ton of watchdogs. We have lots of people who look at our expenses, what we say on Twitter, who we like on Facebook, who we interact with, who we have meetings with. All of us have done that across this way and held each other accountable for all manner of things. Can you imagine if we were no longer allowed to do that? Then all of a sudden the government has no accountability because we're not allowed to bring that up. How does that work?

All of a sudden unions are being given this special pedestal, that they no longer have consequences to the business that they represent. The businesses have consequences. The whole legislation is around how to make sure that this legislation protects the workers, but the workers aren't going to have a business if that business goes under because of the ability all of a sudden of the union to hold them at bay at a thousand dollars a day. They can be funded, they can fund raise, they can put this business out of a business or try to intimidate. This government has given permission to the unions to do that. That is absolutely appalling and shameful. "Fair" should be struck from this title altogether.

I think back to Bill 25, with the cap on the oil sands, and Bill 27, where the government removed the Minister of Energy's accountability from the legislation. In fact, it was struck from the legislation, the ability to bring forward information and be accountable. Those words were actually struck from the legislation. Did you think that we weren't going to find this? Madam Chair, there's nothing fair about this. There's nothing fair about giving one group more power than the other. There's nothing fair about taking a business and then having a union able to hold them at bay because of an illegal strike. It's an illegal strike. Are we actually encouraging illegal activity? Is that where we're headed with this? Madam Chair, somebody needs to be accountable for this and explain to those of us on this side how that's possible.

Division 19 is being struck from the legislation, folks. It was there as an accountability measure for the unions. Please explain to me why that is being struck from this legislation. Somebody in here needs to explain that. I'm absolutely appalled. I look at the amount of scrutiny that an MLA, a person who is in public office undergoes, and I am grateful every single day for that. The Ethics Commissioner probably gets sick of hearing from me because I write them about everything. I mean, I don't know what everybody else does, but I do that personally because I just don't think there's any way I can understand every piece of it, and I'm terrified of making a mistake. I'm absolutely grateful for the amount of time that these folks spend talking to me, going: "No. That's okay. That's not okay. Do this. Do that."

Actually, it's one of those things that I've got in my head. I understand some of it, but still they're the experts, so I would always err on the side of caution and ask for permission. That's their job. They do an excellent job of it, and I'm grateful every single day. So is my assistant Peter, who has more conversations with the Ethics Commissioner than anybody I know. I love that. I love that accountability. It makes me very, very happy to know that I'm working within the premise of what I'm supposed to do under this government. If I ever made a mistake, it would truly be my own fault, because I didn't ask. I know that I have the ability to ask. I know that.

I can only transfer my personal desire to understand and to make sure that I'm within the rules, and then I look at this legislation and see that this government is promoting illegal activity. It's saying that you can strike illegally, and there's no consequence to you. Division 19 is struck. I would highly recommend that you take a look at it. If that's not the case, then please explain it to me. That is not fair. It is not fair.

Let's go into another piece here. We've already decided that illegal strikes and lockouts, division 19, is removed, the fact that a union can lose their certification. Very interesting. I'm not sure how the government is going to justify that that makes life better for Albertans. I'm not a hundred per cent sure how that's going to happen.

I also want to talk about the family-friendly piece. That's interesting, too, because the thing that probably shocked me the most today was finding out that that legislation won't go through till 2018, the pieces of that legislation that are about compassionate care. Everybody in here yesterday was very passionate about the fact that we voted against first reading. Well, you know what's interesting about first reading? For the last three months we've been talking in this Legislature every day asking: when is the legislation coming, and are you getting rid of secret ballots? Three months. Then all of a sudden the legislation is put down in front of us with nothing from the Minister of Labour, I might add, suggesting to us that she would protect the workers' rights with that.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members that have comments, questions, or amendments? The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Yao:** Thank you, Madam Chair. Labour is a complex issue. It's something that can't be rushed in a couple of weeks. These things need to be developed with true consultation and understanding. Based on your previous careers I would say that you all understand one aspect of this, but do you truly understand how market forces and private business work?

Well, let us talk about unions. Why were they created in the first place? Because workers needed basic rights. Let us be clear. Unions fought to make sure that people would have a safe and amicable environment in which to work, that they would have the right tools and equipment for the right job, that these machines that they worked on were properly maintained so that the workers could do their job safely, that they would have fair benefits like salaries that are agreed to with their employers, that things like holidays and vacations are respected, that workers would be treated fairly and respectfully, including in terminations, and that employers must ensure that their employees are not harassed or discriminated against.

**11:40**

Our society, though, for the most part has reached a pinnacle in regard to work standards. Every workplace should follow

occupational health and safety guidelines. Every employer needs some insurance like workers' compensation. We have hazardous incident assessments to ensure that dangerous things are identified, and safe storage rules for inflammable and toxic chemicals. We have guidelines and standards that permeate workplace processes to ensure consistency and safety.

AEDs are common now in workplaces alongside mandatory first aid kits. We need to have safety people in our workplaces. Employers demand that they hire reasonably educated people and that they can supplement that education with additional training to ensure efficiency in the workplace.

These are things that in other countries they fight for. We take them for granted. This peak that we've reached is also reflected in the payroll. Unionized public environments have surpassed the private sector for wages, with numbers reflecting approximately a 10 per cent difference in the pay scales. Unions have done their job very, very well.

What do we mean by bullying? You hear our side talk about this bullying that comes from union leaders. What does that mean? What are the hazards of having a simple signed card as a voucher for instituting a union? It doesn't just result in a deduction on your paycheque, which some might interpret as simply another form of tax on an individual's paycheque. Can anyone from across the way actually identify what it means to be set apart as different, to be targeted as different, to be intimidated, to be called rude names, to see how people's prejudicial values come out? People might look at you differently. You see that little furrow in their brow become a little bit more aggressive. Maybe their tone with you isn't that pleasant. Perhaps the words used when they talk to you are quite harsh.

The open-card system is used to draw a line in the sand. It helps identify people who don't think the way that you do. I wonder if anyone on the other side understands in any aspect, way, shape, or form the feeling of being different and discriminated against. Anyone? Perhaps you don't get that promotion or that sweet desk next to the window. Maybe you are just treated differently. It might not be a lot of people, but key people. Maybe it's your supervisor. Maybe it's your steward. Maybe it's your union president. Who knows?

I've had this experience. I was a member of local 2494, International Association of Fire Fighters up in Fort McMurray. It's a good union. Good members. Excellent people. I did get harassment. I use this term loosely. I crossed the floor to management's side. I took over running EMS in the regional municipality of Wood Buffalo. For four years I had the honour of running EMS in Fort McMurray, and I also had to deal with the trials and tribulations of being taken over by Alberta Health Services during that time. It's very, very difficult to have two bosses.

That said, where does bullying come from? Well, the minute I crossed that floor the union president started attacking me through e-mails, through his lectures with the membership. It was a very, very difficult time. He had the municipal nurse fight me on hand cleanser. You guys understand all those cleansers, those lotions that you put on your hands, disinfectants? At that time it was a new thing, and I was getting it in our ambulances and in our municipal facilities right across the municipality. I was using a product that was far better than alcohol. Alberta Health Services said: oh, you should use alcohol-based products. It was just a general blanket statement, but I'd done my due diligence and found this product to be much better and less harmful on the hands. I got attacked for bringing in a product that, even though it wasn't recommended by AHS, the information I had was that it surpassed the use of alcohol in a hand sanitizer. So I have had this experience of being bullied. The irony is that I was still technically part of the union at that time.

There are some groups that represent workers at sites all over this province, and perhaps if someone is petty, they don't give that worker those so-called sweet jobs. They have to accept whatever comes their way. I have had stories of that, too, from my friends. They can't help but notice that they only get jobs in the less appealing locations. Maybe they have to go very far away and travel for weeks on end, away from their families, to go to a job in a distant location. Or other things: jeez, maybe they swore that they should have been called for a job by now, and why did Joe and William get their second jobs already when I swear my name was in front of theirs on the list? I mean, these are the things that can be done.

Does the NDP understand the feelings of being discriminated against, of being separated, of being identified as different? I wonder. Based on this bill, I guess not. They don't understand the discrimination that happens because maybe you have different thoughts and different subject matter.

After this election where all 87 of us were elected, people would tell me that they supported me and that they voted Wildrose. I have patrons of the PC Party that have told me that they supported the PCs. Other than the five openly NDP members in Fort McMurray, no one else would openly say that they voted NDP. What were they worried about? As I travel across this province and visit with Albertans, it is the same story.

I wonder: why doesn't anyone admit to voting NDP? What do they fear? What do they have concerns about? Do they have some sort of concern that if they say who they supported in the election, they'll be ostracized? At worst, people would laugh at you, but you shouldn't fear some sort of physical retribution or verbal belittling or being shunned somehow. Albertans recognize that everyone has a right to an opinion, and though someone might identify you as a grasshopper in a province full of conservative ants, varied opinions are accepted.

The only people that shame others for not sharing their beliefs seem to be NDP supporters. I base that on the Twitter and Facebook comments that I receive from the trolls. People that this government has introduced into this House continually belittle me. They try to shame me for my opinions. Shame.

**The Deputy Chair:** Are you speaking to the bill?

**Mr. Yao:** Absolutely.

**The Deputy Chair:** Okay. Just checking.

**Mr. Yao:** But I accept it, and I realize that it's an aspect of our jobs that we must deal with. I won't plead and cry and say: oh, you triggered some negative emotions in me that are impacting me in an unvirtuous way.

In closing, I guess we just need to recognize that there are aspects of this bill that need more consultation, more understanding by Albertans. We thought we had taught you how to consult, but this bill demonstrates that you have not learned that. You do this, and you might save yourself a lot of grief when it comes to Albertans not being consulted. It is difficult when people are going to be put under laws by this government without being asked about their opinions. It is so vitally important.

You put forward a Fair Trading Act recently. It was on automotive repair, and even your own government realized that this should go to committee because they recognized that there are parallels in an existing system. They recognized that there was a redundancy. It was a pure demonstration in proper consulting. When it was in committee, groups were invited in to discuss and express their opinions. They provided real numbers that demonstrated how they would be impacted. They demonstrated existing legislation that already addressed the issue. In the end, the

clock ran out on that bill, and it was pushed aside because it was recognized even by the government side that it was redundant. You only did that through consultation. Without that consultation, you would have been in your blissful state of ignorance, where you usually are.

**11:50**

It's important to know that you are reaching out and trying to become more understanding. What you need to do with this bill as well is to reach out and understand the aspects of it more because the only people that you've listened to are your friends, and that's not necessarily consultation, is it? That only demonstrates one aspect of this. It is so, so important that we consult. That's our job as MLAs. It is our job to reach out to all the people, even the ones that may not share your opinion, to understand and to come out with a balanced effort when you're creating a bill.

Again, with this bill, so much of it is good. There's some housekeeping in there. The leave for difficult family issues is one hundred per cent commendable. That is good, and there's not a person in this House that will disagree with a lot of that. But, again, did you consult? Did you see how much of an added expense a lot of this will be?

Probably not, because you think that all business owners are greedy mercenaries that just rule the world. The truth of the matter is that so many of these are small businesses that just struggle to survive. Their markup isn't what you think. They're not making millions and millions of dollars. They're struggling just to pay their bills as well, and, at that, they have increased bills now because of carbon taxes.

I get what this government is trying to do. You're trying to discourage the purchasing of goods and services because anything that people do impacts the environment. Anything that we do adds to the carbon issue. From the moment that man made that first fire, he was contributing to the carbon pollution. It's something that we just have to recognize because we're carbon-based life forms.

It is important that if we're going to move forward here, you need to consult. You need to take this bill, and you do need to split it in half. You can't put in all the compassionate stuff and use it to blind everyone while you slip some other things inside it that are going to impair businesses and possibly hurt them.

Again, workers' rights: I think everyone agrees with that. Everyone understands the basis of the unions. But, that said, the unions and our work culture, with all of our standards, have changed. It's become more about the money sometimes, and that is unfortunate.

Again I ask anyone from across the way to talk about this card system that you so openly promote. I wonder if you understand if the people that don't sign that card will be exposed to any

discrimination, to any prejudice, to any bullying. It's very possible.

You laugh when you say: oh, union executives would never do that. Well, I know. I've experienced it. It was from one person, but he was the key person. He was the president. Maybe he was just attacking me simply because I was on the management side, and he felt that that was his job. But he attacked me on things that were really quite helpful and ahead of the time. Now you see hand sanitizers everywhere. You carry it in your pocket, and you wonder: jeez, can you imagine the day when they didn't have that? Yeah. A nurse fought me on that. A nurse. Can you imagine that? An occupational health and safety nurse with the municipality fought me on that. That is a shame.

I also got fought on AEDs in my community. I got fought so much on AEDs that I finally gave that to our union charities and said: can you guys carry this forward because I'm literally up against the wall with the bureaucracy blocking me from putting AEDs in our facilities? That's the good stuff that unions do. They get AEDs into the community. I had the route there to take, and it was wonderful.

In that sense, I respect unions. I respect them for ensuring the rights of employees. But I don't respect them when they're trying to bulldoze things through. That's what this bill is doing. You're trying to push something through so that they can bulldoze workplaces all over this province. Now, maybe your idea is to shutter a lot of businesses because they're all making carbon . . .

**The Deputy Chair:** Hon. member, I hesitate to interrupt, but due to Standing Order 4(3) we shall now rise and report.

**Mr. Yao:** I'm sad. Thank you very much, Madam Chair.

[Ms Sweet in the chair]

**The Acting Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Sucha:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 17.

**The Acting Speaker:** Does the Assembly concur with the report?

**Hon. Members:** Aye.

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

The hon. Member for Banff-Cochrane.

**Mr. Westhead:** Thank you, Madam Speaker. Seeing the time, I move that we call it 12 o'clock and adjourn till 1:30 this afternoon.

[Motion carried; the Assembly adjourned at 11:56 a.m.]





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