



Province of Alberta

The 29th Legislature  
Third Session

# Alberta Hansard

Monday evening, June 5, 2017

Day 44

The Honourable Robert E. Wanner, Speaker

## Legislative Assembly of Alberta The 29th Legislature

### Third Session

Wanner, Hon. Robert E., Medicine Hat (ND), Speaker

Jabbour, Deborah C., Peace River (ND), Deputy Speaker and Chair of Committees

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

Aheer, Leela Sharon, Chestermere-Rocky View (W)  
Anderson, Hon. Shaye, Leduc-Beaumont (ND)  
Anderson, Wayne, Highwood (W)  
Babcock, Erin D., Stony Plain (ND)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bilous, Hon. Deron, Edmonton-Beverly-Clareview (ND),  
Deputy Government House Leader  
Carlier, Hon. Oneil, Whitecourt-Ste. Anne (ND),  
Deputy Government House Leader  
Carson, Jonathon, Edmonton-Meadowlark (ND)  
Ceci, Hon. Joe, Calgary-Fort (ND)  
Clark, Greg, Calgary-Elbow (AP)  
Connolly, Michael R.D., Calgary-Hawwood (ND)  
Coolahan, Craig, Calgary-Klein (ND)  
Cooper, Nathan, Olds-Didsbury-Three Hills (W),  
Official Opposition House Leader  
Cortes-Vargas, Estefania, Strathcona-Sherwood Park (ND),  
Government Whip  
Cyr, Scott J., Bonnyville-Cold Lake (W)  
Dach, Lorne, Edmonton-McClung (ND)  
Dang, Thomas, Edmonton-South West (ND)  
Drever, Deborah, Calgary-Bow (ND)  
Drysdale, Wayne, Grande Prairie-Wapiti (PC),  
Progressive Conservative Opposition Whip  
Eggen, Hon. David, Edmonton-Calder (ND)  
Ellis, Mike, Calgary-West (PC)  
Feehan, Hon. Richard, Edmonton-Rutherford (ND)  
Fildebrandt, Derek Gerhard, Strathmore-Brooks (W)  
Fitzpatrick, Maria M., Lethbridge-East (ND)  
Fraser, Rick, Calgary-South East (PC)  
Ganley, Hon. Kathleen T., Calgary-Buffalo (ND)  
Gill, Prab, Calgary-Greenway (PC)  
Goehring, Nicole, Edmonton-Castle Downs (ND)  
Gottfried, Richard, Calgary-Fish Creek (PC)  
Gray, Hon. Christina, Edmonton-Mill Woods (ND)  
Hanson, David B., Lac La Biche-St. Paul-Two Hills (W),  
Official Opposition Deputy House Leader  
Hinkley, Bruce, Wetaskiwin-Camrose (ND)  
Hoffman, Hon. Sarah, Edmonton-Glenora (ND)  
Horne, Trevor A.R., Spruce Grove-St. Albert (ND)  
Hunter, Grant R., Cardston-Taber-Warner (W)  
Jansen, Sandra, Calgary-North West (ND)  
Jean, Brian Michael, QC, Fort McMurray-Conklin (W),  
Leader of the Official Opposition  
Kazim, Anam, Calgary-Glenmore (ND)  
Kleinsteuber, Jamie, Calgary-Northern Hills (ND)  
Larivee, Hon. Danielle, Lesser Slave Lake (ND)  
Littlewood, Jessica, Fort Saskatchewan-Vegreville (ND)  
Loewen, Todd, Grande Prairie-Smoky (W)

Loyola, Rod, Edmonton-Ellerslie (ND)  
Luff, Robyn, Calgary-East (ND)  
MacIntyre, Donald, Innisfail-Sylvan Lake (W)  
Malkinson, Brian, Calgary-Currie (ND)  
Mason, Hon. Brian, Edmonton-Highlands-Norwood (ND),  
Government House Leader  
McCuaig-Boyd, Hon. Margaret,  
Dunvegan-Central Peace-Notley (ND)  
McIver, Ric, Calgary-Hays (PC),  
Leader of the Progressive Conservative Opposition  
McKittrick, Annie, Sherwood Park (ND)  
McLean, Hon. Stephanie V., Calgary-Varsity (ND)  
McPherson, Karen M., Calgary-Mackay-Nose Hill (ND)  
Miller, Barb, Red Deer-South (ND)  
Miranda, Hon. Ricardo, Calgary-Cross (ND)  
Nielsen, Christian E., Edmonton-Decore (ND)  
Nixon, Jason, Rimbey-Rocky Mountain House-Sundre (W),  
Official Opposition Whip  
Notley, Hon. Rachel, Edmonton-Strathcona (ND),  
Premier  
Orr, Ronald, Lacombe-Ponoka (W)  
Panda, Prasad, Calgary-Foothills (W)  
Payne, Hon. Brandy, Calgary-Acadia (ND)  
Phillips, Hon. Shannon, Lethbridge-West (ND)  
Piquette, Colin, Athabasca-Sturgeon-Redwater (ND)  
Pitt, Angela D., Airdrie (W),  
Official Opposition Deputy Whip  
Renaud, Marie F., St. Albert (ND)  
Rodney, Dave, Calgary-Lougheed (PC),  
Progressive Conservative Opposition House Leader  
Rosendahl, Eric, West Yellowhead (ND)  
Sabir, Hon. Irfan, Calgary-McCall (ND)  
Schmidt, Hon. Marlin, Edmonton-Gold Bar (ND)  
Schneider, David A., Little Bow (W)  
Schreiner, Kim, Red Deer-North (ND)  
Shepherd, David, Edmonton-Centre (ND)  
Sigurdson, Hon. Lori, Edmonton-Riverview (ND)  
Smith, Mark W., Drayton Valley-Devon (W)  
Starke, Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Sucha, Graham, Calgary-Shaw (ND)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Taylor, Wes, Battle River-Wainwright (W)  
Turner, Dr. A. Robert, Edmonton-Whitemud (ND)  
van Dijken, Glenn, Barrhead-Morinville-Westlock (W)  
Westhead, Cameron, Banff-Cochrane (ND),  
Deputy Government Whip  
Woollard, Denise, Edmonton-Mill Creek (ND)  
Yao, Tany, Fort McMurray-Wood Buffalo (W)

#### Party standings:

New Democrat: 55

Wildrose: 22

Progressive Conservative: 8

Alberta Liberal: 1

Alberta Party: 1

#### Officers and Officials of the Legislative Assembly

Robert H. Reynolds, QC, Clerk

Shannon Dean, Law Clerk and Director of House  
Services

Trafton Koenig, Parliamentary Counsel

Stephanie LeBlanc, Parliamentary Counsel and  
Legal Research Officer

Fiona Vance, Sessional Parliamentary Counsel

Philip Massolin, Manager of Research and  
Committee Services

Nancy Robert, Research Officer

Janet Schwegel, Managing Editor of  
*Alberta Hansard*

Brian G. Hodgson, Sergeant-at-Arms

Chris Caughell, Deputy Sergeant-at-Arms

Paul Link, Assistant Sergeant-at-Arms

Gareth Scott, Assistant Sergeant-at-Arms

### **Executive Council**

|                       |  |
|-----------------------|--|
| Rachel Notley         | Premier, President of Executive Council  |
| Sarah Hoffman         | Deputy Premier, Minister of Health   |
| Shaye Anderson        | Minister of Municipal Affairs  |
| Deron Bilous          | Minister of Economic Development and Trade   |
| Oneil Carlier         | Minister of Agriculture and Forestry   |
| Joe Ceci              | President of Treasury Board and Minister of Finance                                      |
| David Eggen           | Minister of Education  |
| Richard Feehan        | Minister of Indigenous Relations   |
| Kathleen T. Ganley    | Minister of Justice and Solicitor General  |
| Christina Gray        | Minister of Labour,<br>Minister Responsible for Democratic Renewal                       |
| Danielle Larivee      | Minister of Children's Services  |
| Brian Mason           | Minister of Infrastructure,<br>Minister of Transportation                                |
| Margaret McCuaig-Boyd | Minister of Energy   |
| Stephanie V. McLean   | Minister of Service Alberta,<br>Minister of Status of Women                              |
| Ricardo Miranda       | Minister of Culture and Tourism  |
| Brandy Payne          | Associate Minister of Health   |
| Shannon Phillips      | Minister of Environment and Parks,<br>Minister Responsible for the Climate Change Office |
| Irfan Sabir           | Minister of Community and Social Services  |
| Marlin Schmidt        | Minister of Advanced Education   |
| Lori Sigurdson        | Minister of Seniors and Housing  |

# STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

## Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Coolahan  
Deputy Chair: Mrs. Schreiner

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

## Standing Committee on Alberta's Economic Future

Chair: Mr. Sucha  
Deputy Chair: Mr. van Dijken

|             |           |
|-------------|-----------|
| Carson      | McPherson |
| Connolly    | Panda     |
| Coolahan    | Piquette  |
| Dach        | Schneider |
| Fitzpatrick | Schreiner |
| Gill        | Taylor    |
| Gotfried    |           |

## Select Special Auditor General Search Committee

Chair: Mr. Shepherd  
Deputy Chair: Mr. Malkinson

|                |            |
|----------------|------------|
| Cyr            | Littlewood |
| Gill           | van Dijken |
| Horne          | Woollard   |
| Kleinsteinuber |            |

## Standing Committee on Families and Communities

Chair: Ms Goehring  
Deputy Chair: Mr. Smith

|           |          |
|-----------|----------|
| Aheer     | Miller   |
| Drever    | Orr      |
| Hinkley   | Rodney   |
| Horne     | Shepherd |
| Jansen    | Swann    |
| Luff      | Yao      |
| McKitrick |          |

## Standing Committee on Legislative Offices

Chair: Mr. Shepherd  
Deputy Chair: Mr. Malkinson

|                |            |
|----------------|------------|
| Drever         | Nixon      |
| Gill           | Pitt       |
| Horne          | van Dijken |
| Kleinsteinuber | Woollard   |
| Littlewood     |            |

## Special Standing Committee on Members' Services

Chair: Mr. Wanner  
Deputy Chair: Cortes-Vargas

|        |           |
|--------|-----------|
| Cooper | Nixon     |
| Dang   | Orr       |
| Jabour | Piquette  |
| Luff   | Schreiner |
| McIver |           |

## Standing Committee on Private Bills

Chair: Ms McPherson  
Deputy Chair: Connolly

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

## Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Fitzpatrick  
Deputy Chair: Ms Babcock

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

## Standing Committee on Public Accounts

Chair: Mr. Cyr  
Deputy Chair: Mr. Dach

|             |           |
|-------------|-----------|
| Barnes      | Malkinson |
| Fildebrandt | Miller    |
| Fraser      | Panda     |
| Goehring    | Renaud    |
| Gotfried    | Turner    |
| Littlewood  | Westhead  |
| Luff        |           |

## Standing Committee on Resource Stewardship

Chair: Loyola  
Deputy Chair: Mr. Hunter

|                |           |
|----------------|-----------|
| Babcock        | Loewen    |
| Clark          | MacIntyre |
| Dang           | Malkinson |
| Drysdale       | Nielsen   |
| Hanson         | Rosendahl |
| Kazim          | Woollard  |
| Kleinsteinuber |           |

## Legislative Assembly of Alberta

7:30 p.m.

Monday, June 5, 2017

### Government Bills and Orders Committee of the Whole

[Ms Jabbour in the chair]

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

Prior to starting tonight, I just wanted to make a statement regarding the time between division bells. Hon. members, there was some confusion flowing from Wednesday evening last week, when the Committee of the Whole continued from the afternoon. As members may recall, the bells rang with a one-minute interval rather than there being a 15-minute division. As I explained at the time, the reason for the shorter interval between bells, even though it was the first division of the evening, was that the committee had recessed at 6 p.m. rather than rising and reporting. My explanation can be found at page 1467 of *Alberta Hansard* for the evening sitting on May 31, 2017.

However, given the confusion that has occurred and to lend some certainty to the proceedings, the first division in the evening on a bill will be 15 minutes long, as prescribed in Standing Order 32(3.01), whether or not the committee has recessed or risen and reported in the afternoon. Of course, the first division in the morning and in the afternoon on a bill will be 15 minutes, and subsequent divisions in the morning, afternoon, or evening on the same bill will be one minute.

I hope that will clarify the issue.

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

**The Chair:** We are currently on amendment A20. Any questions or comments regarding amendment A20? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Cooper:** Why, thank you, Madam Chair. It's a pleasure to rise and speak to the amendment put forward by my colleague from Barrhead-Morinville-Westlock, sometimes known as BMW.

**Mr. Coolahan:** Madam Chair, I thought I was still speaking to the amendment.

**Mr. Cooper:** It's committee. There's no adjournment.

**The Chair:** We continue on, hon. member, so you can speak again after. I'll recognize you.

**Mr. Coolahan:** That's fine. Thank you.

**The Chair:** Go ahead.

**Mr. Cooper:** Thank you, Madam Chair, and apologies to my colleague. I didn't mean to interrupt what before the dinner break were stirring and wonderful remarks that we will never get back.

One of the things that was so interesting about the remarks from my colleague from the NDP Party was some discussion around how nothing had changed for well over 30 years. We heard the Minister of Labour numerous times – numerous times – in question period speaking about how this legislation hadn't changed since the late '80s. You'll know, Madam Chair, that I have a real passion for song. She provided the opportunity for many cheerful renditions of '80s numbers from the chair of the Member for Olds-Didsbury-

Three Hills, including things like *If I Could Turn Back Time*, wonderful, wonderful hits from Rick Astley. Let's just say that I'm never going to give up on you or this particular remark.

My point is that there had been this narrative created by the government that nothing had changed in 30 years, and somehow that was a challenge for the government. Perhaps the case could be made that now is a good time to update this particular piece of legislation. As they say, time waits for no one. What we have before us is a real opportunity to prevent this 30-year gap in reviewing what's a very important piece of legislation. So I was surprised to hear my colleague from the NDP speak so negatively towards an amendment that would prevent some of the very things that they were the most concerned about in this piece of legislation, this lengthy time between when the legislation came into law and any significant reform.

What my colleague has provided is a five-year window for this legislation to be reviewed, and we do this on all sorts of pieces of legislation. Some people call it an evergreening clause. I know that the Member for Calgary-Varsity has moved and passed numerous amendments with this same sort of idea, in this vein. She didn't pass the amendments in vain; she moved this sort of vein of amendment to make sure that we are staying up to date, that we are not getting too far behind. All that this does is provide that opportunity for a legislative committee to review part 2 of this particular piece of legislation, the Fair and Family-friendly Workplaces Act, so that we don't wind up in the same situation.

Now, sometimes reviewing legislation can be politically challenging, but this takes a lot of that out of the way. You would think that if there was going to be a significant change in government over a long period of time, which may be very possible starting in 2019, this is the kind of amendment that the NDP would want to put in place to provide themselves some protections and some safeguards to ensure that on a go-forward basis we won't be going anywhere past five years prior to this legislation being reviewed.

I encourage all members of the Assembly to go ahead and support this amendment and pass this amendment. I know that we've heard from the member that he won't be, but I encourage his colleagues to rethink what is a very, very reasonable amendment.

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

**Mr. Coolahan:** Well, thank you, Madam Chair. Thanks for the comments on that from the Member for Olds-Didsbury-Three Hills. He hasn't done anything to change my mind about not supporting this amendment because, really, there are rights in this bill that should never ever – ever – be considered for revocation.

As I said earlier, you know, we did listen to Albertans in crafting this bill. It's a good bill. It includes protection from losing one's job for caring for a loved one, protection from losing one's job for being sick, protection for young people that work, protection from losing one's job when fleeing domestic violence, protection to ensure fair pay and breaks. One piece that I'm particularly happy with in this bill is that employees will not be held responsible and docked pay for dine-and-dash or gas-and-dash incidents. [interjections] Hear, hear.

Madam Chair, the gas-and-dash death of Maryam Rashidi occurred in my constituency of Calgary-Klein, only blocks from my house. In fact, that morning I was taking my daughter with me to the local hardware store, and we were just moments away from seeing the incident happen. You know, the reasons why Ms Rashidi did what she did are unclear. However, I believe the new legislation prohibiting employees from being held responsible for missing money and items will prevent this from happening in the future. I

spoke at Ms Rashidi's funeral, and I never want to have to do that again, and I don't want another family to suffer in this way.

You know, we've been hearing a lot of misunderstanding about unions from across the way, particularly around the Rand formula, and sadly some of you even disparaged the work ethic of unionized employees. It's shameful. They talk of union thugs using intimidation to get union cards signed. Well, Madam Chair, during my time as a business representative for the United Utility Workers' Association I didn't participate in recruiting or union drives because the UUA is not a union that actively recruits. My job saw me focusing on collective bargaining, grievances, and representing people in front of arbitration. But we hear the opposition speaking of people being forced into a union. Well, yes, some people aren't happy that being part of a union is a term of employment at a place of work. But these same individuals who are unhappy with being in a union always change their mind when they see the professional representation that they receive should there be an incident of discipline in the workplace and that they have access to legal representation if necessary and that they have an entire union in their corner.

7:40

Madam Chair, you know, the noise coming from the opposition in regard to the bill hiding changes to the labour code behind changes to employment standards is utter nonsense. They simply don't want a card check system because, yes, this could potentially make it easier for unions to organize in a workplace. But let's be clear: this is not guaranteed. There's still a lot of work to do to procure a union and get certified.

You know, the opposition is using an argument about unions intimidating employees to sign a card, but an associate professor of labour relations at Athabasca University, Dr. Bob Barnettson, recently wrote that during his time on the labour board he heard one complaint – this was two years – of union intimidation and hundreds regarding employers intimidating employees during a vote. Now, he also said that, on balance, card check appears to result in workers being better able to choose whether or not they want to unionize free from intimidation than certification votes do.

In contrast to the opposition equating a secret ballot vote as the most democratic way, like a general election for members of government, he makes the salient point that government doesn't typically threaten to take away your job if you vote against them. That's the difference. This legislation is in no way meant to vilify employers. The vast majority of employers are good employers, just as the vast majority of unions and union leaders provide excellent representation.

To Dr. Barnettson's point, an acquaintance of mine recently told me a story about how he and some colleagues attempted to form a union at the company he was working at. They started by signing cards, and they got 75 per cent. On the subsequent secret ballot the vote went down to 55 per cent. Now, trying to get a first contract proved impossible. We were talking earlier about how important first contract arbitration is. There was even a union buster brought out from Toronto, Madam Chair, a professional union buster. Now, perhaps there's a line of work for some of our opposition members who don't fit in with the UCP.

Anyhow, this union buster was successful in getting meetings with employees behind closed doors before and after the vote, and he employed many devious tactics and intimidation, bringing the vote down and ultimately crushing the hopes of forming a union in that place of employment. What really stuck with me from this story was what this union buster actually said after he had accomplished what he had set out to accomplish, and it was this: "I love Alberta. I can do whatever I want and get away with it." Shameful. Is this what the opposition calls the Alberta advantage?

This is why they oppose the card check system. They even oppose the very reasonable middle ground being presented in Bill 17. Nothing is perfect, Madam Chair – we understand that – but Bill 17 makes life better for all working Albertans.

Madam Chair, I'm also very pleased about the changes to employment standards around layoffs and provisions around enforcement. You know, of course, as I said, the majority of companies comply with the code even when it comes to layoffs. Again, in my previous role one of the biggest issues I had with employment standards was that employers sometimes did not take employment standards seriously. One example was when I was dealing with several layoffs. In the act the employer has to pay out all monies owed within a few days or a week, depending on the circumstances. Well, this was a global company, a major company that wasn't paying all the monies owed to these laid-off employees for up to eight weeks. When I phoned the employment standards, basically what they said was: by the time we resolve this, investigate it, they will have been paid, and therefore your complaint would be moot. What this does is strengthen that, give the administrative penalties, and then it makes employers take seriously their obligation to pay employees in layoffs.

I will just close on this amendment by saying that, you know, Madam Chair, I urge the opposition to put aside its partisanship, its ideology that continually champions keeping Alberta's workers at a disadvantage to other workers in this country. I urge the opposition to understand that this legislation is for all workers, not just unionized workers. I urge the opposition to support Alberta families and ensure that one does not lose their job because they must care for a loved one. I urge the opposition to support those who seek a union in their place of work in a fair and democratic way, and I urge the opposition to support fair wages and breaks for all Albertans. Ultimately, I urge the opposition to take a break from being themselves and support Alberta's workers in having the same protection under the law as workers in other provinces.

As such, Madam Chair, I will not be supporting this amendment. Thank you for your time.

**The Chair:** Are there any other speakers to amendment A20? Are you ready for the question?

**Hon. Members:** Question.

[The voice vote indicated the motion on amendment A20 lost]

[Several members rose calling for a division. The division bell was rung at 7:47 p.m.]

[Fifteen minutes having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

|        |          |            |
|--------|----------|------------|
| Clark  | Gill     | Loewen     |
| Cooper | Gotfried | McIver     |
| Cyr    | Hanson   | Orr        |
| Ellis  | Hunter   | van Dijken |

Against the motion:

|               |              |           |
|---------------|--------------|-----------|
| Anderson, S.  | Gray         | Phillips  |
| Babcock       | Hinkley      | Piquette  |
| Bilous        | Hoffman      | Renaud    |
| Carlier       | Jansen       | Rosendahl |
| Carson        | Kleinsteuber | Sabir     |
| Ceci          | Littlewood   | Schmidt   |
| Coolahan      | Loyola       | Schreiner |
| Cortes-Vargas | McPherson    | Shepherd  |
| Dach          | Miller       | Sigurdson |

|             |          |              |
|-------------|----------|--------------|
| Feehan      | Miranda  | Sucha        |
| Fitzpatrick | Nielsen  | Turner       |
| Ganley      | Notley   | Woollard     |
| Goehring    |          |              |
| Totals:     | For – 12 | Against – 37 |

[Motion on amendment A20 lost]

**The Chair:** Before we continue on Bill 17, I've had a request to revert briefly to Introduction of Guests.

[Unanimous consent granted]

### Introduction of Guests

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

**Ms Gray:** Thank you very much, Madam Chair, and thank you, colleagues. It is my honour to introduce to you and through the chair to everyone three people who are very important to me. First, Don Macfarlane, who currently works at the U of A for the information services and technology team. Don is a member of NASA and was the Alberta NDP candidate in Strathmore-Brooks in the 2001 and 2004 elections. With Don is Katrina Foster, a strong supporter of and treasurer for the Edmonton-Mill Woods NDP, who has been known to the current Minister of Children's Services since they were teenagers. Katrina has lived in the Cayman Islands for almost a decade, and since returning she's been working for the labour movement, AFL, CUPE 30 and is a proud member of COPE 458. Both Don and Trina are alumni of the TUXIS Parliament of Alberta.

Finally, the last person is Neal Gray, my husband, who has come to watch us many times but has never wanted to be introduced until now. I would like to highlight that Neal has himself been a political candidate. He works with me on all things NDP and has run federally in the past. He is an information technology guru who works for the RCMP, and I could not do what I do every day, in and out, without his support. I'm so proud to be able to introduce him and have him stand and receive the warm welcome of this Assembly.

### Bill 17 Fair and Family-friendly Workplaces Act (continued)

**The Chair:** Back on Bill 17. Are there any further questions, comments, or amendments? The hon. Member for Calgary-West.

**Mr. Ellis:** Thank you, Madam Chair. I do have an amendment here for Bill 17, the Fair and Family-friendly Workplaces Act. I'll wait until you receive it before I continue on.

**The Chair:** This will be amendment A21.  
Go ahead, hon. member.

**Mr. Ellis:** Thank you, Madam Chair. I would like to move that Bill 17, Fair and Family-friendly Workplaces Act, be amended in section 100 as follows. In subsection (1) by striking out "except section 44," and substituting "except sections 9 and 44," and by adding the following after subsection (2):

- (3) Section 9 is deemed to have come into force on the day the Bill to enact the Fair and Family-friendly Workplaces Act received first reading.

Madam Chair, this is a very important amendment, I think, not only to me but, I believe, to the members of this House as well as the people of Alberta. I'd like to certainly commend the government. As I was reading this, you know, of course, this refers

to deductions from earnings: "an employer must not deduct [or] set off against or claim from the earnings of an employee," and, of course, there are some subsections that were not there before, and I think that is very important.

You know, in my former career as a police officer, sadly, I've been to many dine and dashes, many gas drive-offs, and I can tell you that it is completely unfair to the employee who is a server or possibly a bartender or somebody in that sort of capacity when a criminal offence occurs and they are the victim of that criminal offence although, technically, under law the establishment itself is the victim. But to have an employer or, sadly, a manager essentially force that employee to pay when they themselves become the victim of that crime I think is completely unfair. So it's great to see that this stuff has been rectified in this particular act. You know, of course, according to my amendment we just want to make sure that this comes into effect right away because this will have a very positive impact on the people of Alberta and, certainly, people within that industry.

As we go on to the section regarding gas drive-offs, this is a section that really can save lives. What people don't realize in regard to this is that sometimes – of course, I don't want to put everybody in this boat, but there are some employees and gas station attendants where, whether it be the owners or the management, again, they make them pay for that gas drive-off, another practice that is completely unfair. You find that, you know, that person who is working as an attendant, they're the ones that sometimes are chasing after that vehicle and many of whom, sadly, have either been seriously injured or in some cases have died. Sometimes in certain situations it's because that person is going: "I'm going to be out that \$60. I'm going to be out that \$100. Maybe that's all I made during the day." And that's completely unfair, that the employer has put that person, essentially, on the hook for that.

**8:10**

With this amendment, again, it's consistent, of course, with the law itself. All we're asking in this is that it be enacted right away because it's going to have a positive impact on the people in, of course, the customer service industry when it comes to restaurants, but it's also going to have a very positive impact in the world of the gas stations and where fuel is being pumped. I think employees need to know that if somebody commits a criminal offence, they're not the ones that need to be responsible for the monetary loss that the owner of that gas station is going to incur.

I certainly encourage all of my colleagues in this House to support this amendment. I believe that is something that should be enacted immediately, as per what is stated here in this amendment. I certainly encourage all members of the House to support this.

Thank you very much, Madam Chair.

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

**Ms Gray:** Thank you very much, Madam Chair, and thank you very much to the member for working with the government in reviewing Bill 17 and thinking about the impacts that the various sections will have on the very real lives of the Albertans that this bill is going to protect and improve their quality of life and their work-life balance and a number of other things. The section that the member is highlighting is very, very important to me.

Since becoming Minister of Labour, there have been deaths due to gas and dash. That's something I take very seriously because every employee should be able to go to work, to do their job, and to come home safely at the end of the day. Incidents like those are preventable, and they should not be happening.

Some of the actions that I've taken, that we've taken as a government include doing some very specific inspections of convenience and gas stations where our occupational health and safety officers went and did proactive inspections across Alberta, urban and rural, talking to the employees about their health and safety, how things are set up, if they understand current employment standards rules and were issuing tickets when they found that there might be a deficiency or misunderstanding. They made a point of talking to the employers, the owner-operators, and they followed up at every single station to make sure that any improvements that were needed for safety and security were followed through on. Those proactive inspections continue through the OH and S team, and I'm very proud of the work that they're doing.

In this amendment to Bill 17 we are clarifying that an employer cannot deduct from pay gas and dash or dine and dash, but I do want to stress that that clarification and talking about that today are very important, making sure that that's clear. Gas and dash and dine and dash are currently – through our current employment standards you cannot deduct that from an employee's pay. This clarification is going to help with understanding. It makes it more readable. But we want to assure everyone that that has always been the case, so when our occupational health and safety officers have gone to visit and explained these things, making sure that employees understood. That's part of the training.

The change that has been brought forward adjusts the coming-into-force date, so upon first reading, essentially making this one item out of Bill 17, which is a fairly large series of changes given how overdue a lot of this work was and how important it is to the protection of Albertans to the fairness for workplaces for Albertans. One of my concerns is making sure that we're communicating clearly with our stakeholders, including employers, particularly employers who are going to need to be responsible to update their systems, to update their processes, and to enforce and start following Bill 17 once it comes into force.

Through the consultations, which were fulsome, over 5,000 Albertans provided surveys. We had round-tables. I personally met with stakeholder groups like the Alberta Enterprise Group, Merit Contractors, different business leaders, chambers of commerce, and so on. One of the things that I heard was that we as a government need to support the employers as we're making these changes, so my ministry is going to be preparing materials, brochures, pamphlets, online materials, in-person sessions to really help make sure that the changes that are laid out in Bill 17 are understood so that as we move towards the coming-into-force date of January 1, people know what to expect and can update their systems as needed. I don't want to confuse these issues by changing the coming-into-force date to different times. I think that January 1 for our employment standards section is what needs to happen to make sure that we give our employers time on Bill 17, that we listen to the feedback we have. I've worked very hard to try and put forward a moderate, balanced series of changes, listening to feedback from employers.

For that reason, I will not support the amendment, but I appreciate very much the member opposite for submitting it. I thank him for his contributions, but I will not be supporting this amendment. I think having a single coming-into-force date for these changes and allowing my ministry time to prepare the materials so that they can be understood and the enforcement can be turned on is the best way to move forward.

Thank you, Madam Chair.

**The Chair:** Any other members wishing to speak to amendment A21?

Seeing none, are you ready for the question?

**Hon. Members:** Question.

[The voice vote indicated that the motion for amendment A21 lost]

[Several members rose calling for a division. The division bell was rung at 8:17 p.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

|        |          |            |
|--------|----------|------------|
| Clark  | Gotfried | McIver     |
| Cooper | Hanson   | Nixon      |
| Cyr    | Hunter   | Orr        |
| Ellis  | Loewen   | van Dijken |
| Gill   |          |            |

**8:20**

Against the motion:

|               |              |           |
|---------------|--------------|-----------|
| Anderson, S.  | Hoffman      | Phillips  |
| Babcock       | Jansen       | Piquette  |
| Bilous        | Kleinsteuber | Renaud    |
| Carlier       | Larivee      | Rosendahl |
| Carson        | Littlewood   | Sabir     |
| Ceci          | Loyola       | Schmidt   |
| Coolahan      | McCuaig-Boyd | Schreiner |
| Cortes-Vargas | McKittrick   | Shepherd  |
| Dach          | McPherson    | Sigurdson |
| Feehan        | Miller       | Sucha     |
| Fitzpatrick   | Miranda      | Turner    |
| Ganley        | Nielsen      | Westhead  |
| Gray          | Notley       | Woollard  |
| Hinkley       |              |           |

|         |          |              |
|---------|----------|--------------|
| Totals: | For – 13 | Against – 40 |
|---------|----------|--------------|

[Motion on amendment A21 lost]

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

**Mr. Hanson:** Thank you very much, Madam Chair. I'd like to stand to introduce another amendment.

**The Chair:** This will be amendment A22.

**Mr. Hanson:** Thank you, ma'am. I'll read the amendment and then just give a brief explanation.

**The Chair:** Go ahead.

**Mr. Hanson:** I move that Bill 17, Fair and Family-friendly Workplaces Act, be amended as follows: Under section A, section 100(1) is amended by striking out "January 1, 2018" and substituting "September 1, 2017". Under B, section 146 is struck out and the following is substituted:

Coming into force of Part 2

146(1) This Part, except sections 103(b)(iii) and (c), 104, 128 and 145, comes into force on January 1, 2018.

(2) Sections 103(b)(iii) and (c), 104 and 145 come into force on September 1, 2017

(3) Section 128 with respect to the enactment of section 95.2(2) of the Labour Relations Code is deemed to have come into force on the day the Bill to enact the Fair and Family-friendly Workplaces Act received first reading.

Basically, what this tries to do is – you know, I looked at the coming-into-force dates, and I've listened to many of the arguments



from the government when we tried to put this bill off and get it into committee so that there could be further consultation with business owners in Alberta and just regular Albertans on this very important labour bill. The government's argument was: "This bill is far too important. We must get these employment standard changes into effect as soon as possible, so there's no time to go out and consult. We've done enough consultation, and we're going to put this bill forward." Then when you look at the coming-into-force dates, you see that the all-important labour standards don't come into effect until January 1, 2018, while all of the sections that deal with union certification and all that stuff, that's supposed to be less important, come into force on September 1, 2017.

What this amendment serves to do is to give the government an opportunity to put their money where their mouth is. If this is really the all-important section of the legislation, the employment standards, let's switch the dates. Put the union stuff on January 1, and put the employment standards stuff, that's so important, on September 1. Now, I would personally like to see that section come into effect immediately, but, you know, we're going to give them a little bit of space here and allow employers to prepare and all that.

I think that switching these dates and, you know, showing Albertans what you really mean by this legislation – and if you really mean that this is the important part of the legislation, then you'll have no issue with switching those dates. I'd appreciate to hear some comments on that.

Thank you.

**The Chair:** Any other members wishing to speak to amendment A22? The hon. Member for Edmonton-Decore.

**Mr. Nielsen:** Thank you, Madam Chair. Thank you to the member for bringing the amendment forward. As the minister had pointed out a little bit earlier in the last amendment, we had talked about how, you know, the employers need some time to implement some of the items. There are cost factors that are involved for the employers in order to update these kinds of things. This is pretty much the exact same thing that we're talking about here. Employers do need to have enough time to be able to adapt and react to these things as well as with some of the regulations in terms of penalties. We need to have the time to bring those forward as well.

Again, I'll thank the member for bringing this forward. I won't be able to support this at this time, and I would encourage other members of the House to not support this as well.

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

**Mr. McIver:** Well, thank you, Madam Chair. It's my privilege to rise and speak in favour of this amendment. I think it's well thought out. When the government introduced this bill, they were tripping over themselves talking about how important the employee safety elements of this bill were, and they didn't want to talk nearly as much about the doing a favour for their friends sections. It was all about the safety, all about the extended leaves. It was all about that.

Well, here is a chance for the government to be honest and say: "Yeah, you know, we meant what we said. We want to put the personal safety things first." In fact, in the bill they put it last, so here's a chance for the government's actions to match their words, and I will be supporting this amendment. If the government indeed takes the opportunity for their actions to match their words the least bit seriously, I know that they also will support this amendment.

**The Chair:** The hon. Member for Cardston-Taber-Warner.

**Mr. Hunter:** Thank you, Madam Chair. I guess my question to the Member for Edmonton-Decore is – the argument that he just made

there was that the businesses that they had consulted with said that they needed more time to be able to implement this, and this is the reason why they would not be supporting this. I agree a hundred per cent with you, Member, and I believe that the businesses, from what I've talked to, agreed that they need more time to be able to consult and to talk to the government about these issues. We've brought forward reasonable amendments that would help the government give them the time, but the government has refused that.

What we're seeing here today, Madam Chair, is a government that is being disingenuous to those people who they have said that they have consulted with. They refuse to do the proper consultation. We have given them ample time through proper amendments that we've brought forward, but each time they have said: no, we've given the right amount of time. Yet I've just heard, from what I remember, the Member for Edmonton-Decore saying that the businesses need more time in order to be able to implement and that this is the reason why they can't do that switch.

Now, you cannot have it both ways, because this is exactly what I heard. So if this is about the compassion part of it, which – we've already said many times, Madam Chair, that we are willing to pass it immediately if it is about the compassionate part. The part that we have problems with is the labour part, that we need to be able to actually have that consultation time and that we have not had that opportunity with Albertans to be able to give us that feedback so that we can get this right.

The other point that I wanted to make is that when the members opposite talk about that there hasn't been the labour peace, you know – I would have to say that I think we have had labour peace here, but let's just go with their argument that we haven't had labour peace. The reality is that if we haven't had the labour peace, what they're saying is: "Let the pendulum swing to the complete opposite side, and let's go against what's happened and create no peace. Let's create the war and strife between the employee and the employer."

**8:30**

Now, I have to say, Madam Chair, that it doesn't surprise me. History is replete with examples of socialist governments that do the same thing every single time. There are lots of historical examples where a socialist government has said: we're going to create that strife between the employee and the employer. That's the only way that they can get the votes. It's called the politics of envy. So when they actually go down this road – I have no problem with them going down this road. Just call it that. Just say that they're going to do that. This is exactly what they've been doing in the past. It's exactly what they're going to do now. Tell Albertans all about it. Tell them that this is why they're doing it. This is a political move. This is a strategy that they've been using for years and years and years throughout history. I just think: come clean; let Albertans know this.

I think this is a very reasonable, well-thought-out amendment that I have no problem supporting, and I will be in support of this.

Thank you, Madam Chair.

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

**Ms Gray:** Thank you very much, Madam Chair. I'm not going to address all of what the member opposite just said. I'm going to stick to the parts dealing with the amendment here, and I really just want to make clear to the members opposite why they should be voting against this amendment.

It appears that the members opposite think that the employment standards section only provides for some leaves. That is all they seem to be referencing. They seem to have missed the significant

amount of work that we have done on our basic standards around calculations for overtime, vacations, holidays, breaks, key things that impact employers, reasonable changes that make sure that all Alberta employees are treated similarly to other jurisdictions, that update our regulations. For example, someone who works over five hours: for every five hours they get a 30-minute break. Right now if someone works over five hours, they get a 30-minute break, and that's it. Someone who works 12 hours just gets a 30-minute break. This is very different from other jurisdictions. For those types of changes, Madam Chair, employers, who often have human resources systems that run their operations, need time to adjust. These employment standards could impact large employers and small employers.

The other major change that the opposition seems to be ignoring is the fact that Alberta has been the only jurisdiction that did not have an enforcement and administration system in their employment standards. Now, what does that mean, Madam Chair? That means the ability, for example, to fine an employer who is taking advantage of their employees or perhaps an increase in the fine when an employer is repeatedly violating employment standards. That enforcement administration system is not something that my ministry can just turn on tomorrow. That is something where we are going to need to update IT systems. We are going to need to train people. We need to train our employment standards officers on all of these changes.

When the members opposite talk about how they want to pass the leaves today, I appreciate that, Madam Chair, but they are ignoring a huge portion of our employment standards changes that are dramatically important to Alberta employers and workers. We need time both for the employers to update their systems and to understand the rules so we can send this information out and teach people what's changing and also for our ministry, our government departments to update our processes so that we have an enforcement system that we can be proud of and so that we make sure that bad actors in our province have a fine system that holds them to account. We've said it before, and I'll say it again. The majority of employers in Alberta are great employers, but we need to have a system that makes sure that everyone is playing fairly, that we have a level playing field for all employers.

I hope that clarifies for the members opposite why it's a bad idea to start rushing things when it comes to the implementation. I hope that clarifies it. I'm very proud of the work we did bringing forward Bill 17 and of the consultations we did. We've got a measured bill in front of us with fair and balanced changes, and we're going to work with our partners, with businesses, on that implementation in a reasonable time frame. The members opposite trying to rush us is just not going to make sense.

I will not be supporting this amendment. Thank you, Madam Chair.

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

**Mr. Nixon:** Well, thank you, Madam Chair. I rise in response to the minister's comments. It's disingenuous and it's almost embarrassing, what we just watched here. The fact is that this minister wants to stand up and claim again that it's about the humanitarian issues associated with this bill, and we've given this government every opportunity to get those through immediately.

What are they doing, Madam Chair? They're putting it off until next year and rushing this bill through so that they can get their ideological portions of this bill through, that they didn't consult with Albertans on, while the humanitarian portions of this bill they've pushed off till next year. Albertans can see right through that. The fact is that this is a government that already stood in this

Chamber in their time in government and accused farmers of trying to kill people. This is how disappointed they are, and that is the most disingenuous thing I've ever seen from a minister.

**The Chair:** Any other members wishing to speak to amendment A22? Calgary-Hays.

**Mr. McIver:** I just have to say that I agree with the previous member, with what he said. It was like the minister is actually talking through her hat. That's hat with an "h".

Madam Chair, she says she hasn't got time, yet she claims she got a ton of consultation done in six weeks, a ton of consultation, talked to a whole bunch of people, got a whole bunch of work done, lots of preparation. When it suits the minister's purposes, she seems to magically be able to at least claim she got a lot of work done. When it suits Alberta workers, when it actually does something good for them in the good parts of the bill, well, it takes way too long, helping people. She never has time to do the good stuff, but the bad stuff just slides through her ministry like it was no effort at all, Madam Chair. It slides through her ministry. [interjections] I'm glad to hear the Premier trying to shout me down though I have the floor because it was the Premier that two days ago in this House said that she didn't have time to do something in six weeks.

Well, apparently, if it's good for Albertans, the Premier and her minister don't have time to do it. If it's bad for Albertans, it seems like no effort at all; it doesn't take any time at all. Bad stuff flies through the ministry. Bad stuff flies through the Premier's hands. Good stuff that protects Albertans: they just can't quite find the time to get that stuff done. [interjection] They just can't find the time. It's really telling. It's really an indictment of this government's true nature that what they say and what they do are two entirely different things. [interjection] The fact that the Premier is trying to outshout me while I've got the floor tells me how guilty she feels about this, and it makes me happy to hear her reveal how she really feels, unless she's willing to get up on her feet, and I'd love to hear that.

**The Chair:** Any other speakers to amendment A22? Cardston-Taber-Warner.

**Mr. Hunter:** Madam Chair, I have got to speak about this because the minister has just accused us of trying to force this timeline. She has said many, many times in this Chamber that they did extensive consultation in six weeks. In six weeks they got all of the consultation done that they needed to do. I will remind you that what we are asking them to do is to implement this in double the time, 12 weeks. That's what we're talking about. So they would have 12 weeks to be able to get it all taken care of, yet six weeks is all it took for this government to be able to get all of the consultation done right.

This is complete hypocrisy, Madam Chair, for her to say that six weeks is fine to be able to consult all businesses in the province, yet we're going to give her 12 weeks, double the time, in order to be able to make this happen. Completely disingenuous.

**The Chair:** Any further speakers to amendment A22? Seeing none, are you ready for the question?

**Hon. Members:** Question.

[The voice vote indicated that the motion on amendment A22 lost]

[Several members rose calling for a division. The division bell was rung at 8:39 p.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

|              |          |            |
|--------------|----------|------------|
| Anderson, W. | Fraser   | Loewen     |
| Clark        | Gill     | McIver     |
| Cooper       | Gotfried | Orr        |
| Cyr          | Hanson   | Starke     |
| Ellis        | Hunter   | van Dijken |

Against the motion:

|               |              |           |
|---------------|--------------|-----------|
| Anderson, S.  | Hinkley      | Notley    |
| Babcock       | Hoffman      | Piquette  |
| Bilous        | Jansen       | Renaud    |
| Carlier       | Kazim        | Rosendahl |
| Carson        | Kleinsteuber | Sabir     |
| Coolahan      | Larivee      | Schmidt   |
| Cortes-Vargas | Littlewood   | Schreiner |
| Dach          | Loyola       | Shepherd  |
| Dang          | McCuaig-Boyd | Sigurdson |
| Drever        | McKitrick    | Sucha     |
| Feehan        | McPherson    | Turner    |
| Fitzpatrick   | Miller       | Westhead  |
| Ganley        | Miranda      | Woollard  |
| Gray          | Nielsen      |           |

|         |          |              |
|---------|----------|--------------|
| Totals: | For – 15 | Against – 41 |
|---------|----------|--------------|

[Motion on amendment A22 lost]

**The Chair:** We're back on the main bill. Are there any further questions, comments, or amendments with respect to this bill? The hon. Member for Barrhead-Morinville-Westlock.

**Mr. van Dijken:** Thank you, Madam Chair. I have an amendment to propose on Bill 17.

**The Chair:** This is amendment A23.

Go ahead, hon. member.

**Mr. van Dijken:** Okay. Thank you, Madam Chair. I move that Bill 17, Fair and Family-friendly Workplaces Act, be amended in section 113(1), in the proposed section 34, (a) in subsection (2)(d) by striking out “subject to subsection (8),”; (b) in subsection (6) by striking out “subject to subsection (8),”; (c) by striking out subsections (8), (9), and (10); (d) in subsection (11) by striking out “or (10).”

Essentially, what I'm trying to propose here, Madam Chair, is a recognition of the current system of union certification through a secret ballot and the recognition of that being an integral part of a democratic society, that we are able to enjoy the freedom of a secret ballot, to vote our conscience in the privacy of a booth or a secret vote.

You know, when we look at the proposed legislation here, where the government is proposing that if a union is able to present cards representing over 65 per cent of the workforce, then they would be eligible to be certified with the labour board – secret ballots have been put in place to ensure that all individuals in a democratic process are able to vote their conscience without undue pressure from others around them. With regard to unionization certification we are looking to ensure that employees are protected from the intimidation processes and intimidation from both employers and union organizers. It's a critical part of being able to stem the tide of abuse and reducing the pressure that employees feel when they're asked to sign union cards. They also have the ability to vote their conscience if they're receiving undue pressure from their employer.

The secret ballot is essentially a major release valve for that pressuring and harassing of workers to get card checked. They can get you back in the secret ballot. Can you imagine, Madam Chair,

where you have to decide to vote for or against a union while union organizers or friends or colleagues are sitting right there with you or behind you, looking on? There is a significant amount of peer pressure that is understood or can be recognized in that situation, where individuals, employees in a workforce are feeling the pressure from their co-workers. They're feeling pressure from union organizers, especially if they're superior in their position in the workforce, to actually sign the union card. At the end of the day, no longer is a union vote a secret vote when you go to this card check system.

Madam Chair, even the government admits that the secret ballot gets an average of 10 to 15 per cent less support than the card check shows – and we know there are cases where it is much more than 10 to 15 per cent – so how can we justify that this is a system that is protecting employees and protecting the rights of employees to their democratic rights within a democratic society?

Having an aggressive organizer or someone in a foreman or a senior position pressuring you to sign a card, I would suggest, is not fair. Under this type of legislation I believe that it would actually get worse, that there's no ability for the employee that is being pressured to sign a union card to be able to decide that they're not in favour of unionization in that workforce, whereas when they have that secret ballot – you know, that's why there's typically less support in a secret ballot vote than what shows up when members sign a card. Those are typically employees that just want to have the union organizers or their fellow co-workers leave them alone: “Okay. Let's sign the card. We'll put it to a vote in the workplace.” I think that's fair, and that's proper, and that's a very legitimate way to understand what the true feelings of your workforce are.

**8:50**

You know, like, what we're currently under in the province of Alberta is where the secret ballot would be a counterbalance to keep the way from tactics or ruthless endeavours by either employers or union organizers. I think we would be kidding ourselves if we sit here – and we even heard members earlier talking about the situation with my fellow colleague, where that particular union was known for their abusive ways of trying to get members to follow their guidelines. I believe that there are some unscrupulous union organizers out there, and there are businesses that need to be held in check also. I believe that the secret ballot gives the employee the freedom to be able to vote their conscience without the pressure and without the knowledge, necessarily, of their co-workers, their employer, their union organizers as to what their vote was. That's why we utilize it, so that we can come to a true understanding of the will of the workplace.

You know, it's interesting, Madam Chair, that the government is proposing a system, and they claim that it's a system that's been adopted in most other jurisdictions in the country, yet as I look across the country, in British Columbia a secret ballot vote is always required for certification for a union. Saskatchewan: a vote is always required. Manitoba: a vote is always required. We have Newfoundland and Labrador: a vote is always required. Nova Scotia: a vote is required. In Ontario a vote is always required.

We're looking at even individual cases where they have gone to a card check system and found out some of the difficulties that are faced, with abuse of employees. That type of activity starts to increase, and then they go back to a secret ballot system to ensure that the employees can get the negative pressures off their back. They'll sign the union card and bring it to a secret ballot vote, and they can move on with their lives without feeling the pressure from the union organizers.

You know, I think it's critical that we recognize the democratic right of all individuals and employees, especially at this time, that

we recognize that we need to protect the rights of the employees from the abuses of other people within the workforce that will be very adamantly trying to ensure that they get their way with these employees. I don't believe that it's fair to the employee to be under that kind of extra pressure. The fact that we had a secret ballot in place allowed that employee to vote their true conscience without the pressure from others around them because they were able to do that in secret.

With that, I'd like to encourage all members to vote in favour of this amendment to ensure that employees are protected from abuse and that we ensure that the interests of all Albertans are recognized and that the right of a democratic vote continues to be established in the province of Alberta.

Thank you.

**The Chair:** Edmonton-Decore.

**Mr. Nielsen:** Thank you, Madam Chair. Wow. You know, I don't know exactly where to start on this one. Continually through this entire debate we have seen members of the opposition vilify people from the labour union. I can tell you from first-hand experience that nothing could be farther from the truth. I'm getting a little tired of these folks telling everyday Albertans: because you're a union member, you're going to pressure, bust into somebody's house to make them vote. Come on, guys. Like, let's start giving Albertans here a little bit of credit, okay? I don't know if any of you have done any organizing, but I've done some organizing. I've been very, very respectful of people's time. I've been very, very respectful of how they want to place their vote. [interjections] I'd appreciate it if I could have the floor because I've given you the floor.

Madam Chair, maybe the folks across the floor didn't realize this, but votes that are supervised by the Labour Relations Board don't allow for people to look over somebody's shoulder while they're taking a vote. We're talking about 65 per cent of the workplace, a very, very clear majority, that is looking to unionize. That is their right, so quite honestly I cannot support this amendment here.

You know, when we hear about all these jurisdictions that don't have it: there are a lot that do, and it's working just fine.

Madam Chair, I'm going to urge all members across this House to not support this legislation. It's time that we stop this rhetoric that we're hearing about unions because if you knew anything about unions, you'd know that's not the case.

**The Chair:** Barrhead-Morinville-Westlock.

**Mr. van Dijken:** Thank you, Madam Chair. Interesting to hear from the Member for Edmonton-Decore and look through his rose-coloured glasses and believe that there are no individuals that would put undue pressure on employees to sign union cards. He talks about how he's getting tired of hearing from the opposition concerns that we have with regard to union tactics to try and grow their business.

At the same time I hear from the other side that they're vilifying businesses that are not living up to the employment standards that are being put before us. On the majority of the employment standards I would suggest that most employers within Alberta have been very fair with their employees. The excuse that the government is giving is: well, we've got to cover off for a few.

That's exactly what we're trying to do here with the secret ballot. We're able to ensure that we do not have individuals within the union movement or even employers that would use undue pressure to influence their employees from being able to have their right exercised through a secret ballot. We have the ability to have that relief valve of a secret ballot, that protects the rights of the individuals, the employees that are deciding on whether or not they want to move forward with this in their workforce. I believe that

that's a fair decision, to protect that decision, and that that employee has that freedom to do that in the secret ballot vote.

The member opposite wants to label us as being against unions. Nothing is further from the truth. I just want it to be a fair process that allows the employee to feel like they are being protected from the thuggery of . . .

**An Hon. Member:** Both sides.

**Mr. van Dijken:** . . . both sides, the employers and the unions. I see it on both sides. I give you that. I see it on both sides. I can see where the potential is on both sides.

At the same time, we have to recognize that and we need to put legislation forward that will stand the test of time and be fair to all because otherwise we're going to be back here in a few years recognizing that this didn't quite get covered off and that we're going to have cases where, like in other provinces, they've had to return to the secret ballot. What we're trying to do here is to ensure that we don't go down a road that we're just going to have to decide to change in time.

Thank you, Madam Chair.

**The Chair:** Calgary-Elbow.

**Mr. Clark:** Thank you, Madam Chair. I'll be brief. I like a secret ballot. I think a secret ballot is one of those cornerstones of democracy. I mean, that's kind of a remarkably obvious statement. And some of the things I've heard tonight are around: well, 65 per cent; gosh, that's a high bar. I have two points to make. One, I would love the opportunity and I encourage the government in the next election to please campaign on this promise. Campaign on this promise. Go door-knocking in your constituency, and if you can get 65 per cent of your constituents to sign a piece of paper saying that you ought to still be the MLA, you get to be the MLA without a vote. That's it. That's number one.

**9:00**

The second point, being the point of the hon. Member for Calgary-Klein, in talking about how difficult it is to get 65 per cent, Madam Chair, is that if the threshold were 100 per cent, I would still be against it because what's wrong with a secret ballot? I don't understand the problem we're trying to solve. If we set the threshold at 100 per cent – that's maybe not a bad idea for an amendment. I don't know how late we want to be here. Maybe I'll try that. But if we set the threshold at 100 per cent, it's still out in the open who signed and who didn't sign, and that just makes the process open to threats and intimidation or to the potential for that. Getting rid of the secret ballot solves a problem we don't have, and it's really unfortunate because, you know, the members may be right that 65 per cent may very well be a difficult threshold to hit, and it may in fact not be used all that often.

So as an attempt to provide an olive branch to their base, they have managed to make a lot of right-thinking Albertans – and by right I mean fair-thinking Albertans that just believe fundamentally in democracy and, yes, right-thinking Albertans in the other sense as well, of course. But fair-thinking Albertans who believe in democracy can't possibly support this. It's a concept foreign to all of us in the province of Alberta.

I will absolutely support this amendment and look forward to bringing an amendment of my own which will attempt to address some of these challenges as well.

Thank you, Madam Chair.

**The Chair:** Any other speakers to amendment A23? Barrhead-Morinville-Westlock.

**Mr. van Dijken:** Yes. Thank you, Madam Chair. I think it's critical – and the Member for Calgary-Elbow highlighted it – that we recognize this as a basic democratic right. We also have to recognize that – I don't see that the system is broken. I don't understand why this government believes that the system is broken. It has everything to do, in my opinion, with that they believe there should be more union workplaces in Alberta. But I actually believe that Alberta has been able to enjoy the creation of wealth and that employers and employees have been able to come to a good position of being able to share that amongst themselves. That has created a system that all sides benefit from, and we've been able to live in relative labour peace for several decades now.

You know, it appears to me that removing the secret ballot is more about trying to make it a simplification. The minister has said this, that it's a simplification for unionization within the province of Alberta. I don't understand the simplification as being necessary. It looks to me like the government is playing into the hands of the unions here to put in rules that will help the unions in their business development strategies more than protecting Albertans and ensuring that Albertans are able to enjoy living in a free and democratic society that protects those rights.

So I think we highlight here that the secret ballot has been able to protect the rights of all individuals, the Albertans that we are here to serve.

Thank you, Madam Chair.

**The Chair:** Any other speakers to amendment A23?

Are you ready for the question?

[The voice vote indicated that the motion on amendment A23 lost]

[Several members rose calling for a division. The division bell was rung at 9:04 p.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

|              |           |            |
|--------------|-----------|------------|
| Anderson, W. | Gotfried  | McIver     |
| Clark        | Hanson    | Nixon      |
| Cooper       | Hunter    | Orr        |
| Cyr          | Loewen    | Starke     |
| Ellis        | MacIntyre | van Dijken |
| Gill         |           |            |

Against the motion:

|              |              |           |
|--------------|--------------|-----------|
| Anderson, S. | Jansen       | Nielsen   |
| Bilous       | Kazim        | Piquette  |
| Carlier      | Kleinstauber | Renaud    |
| Carson       | Larivee      | Rosendahl |
| Coolahan     | Littlewood   | Sabir     |
| Dach         | Loyola       | Schmidt   |
| Dang         | Mason        | Schreiner |
| Drever       | McCuaig-Boyd | Shepherd  |
| Feehan       | McKitrick    | Sigurdson |
| Fitzpatrick  | McPherson    | Sucha     |
| Gray         | Miller       | Turner    |
| Hinkley      | Miranda      | Westhead  |
| Hoffman      |              |           |

|         |          |              |
|---------|----------|--------------|
| Totals: | For – 16 | Against – 37 |
|---------|----------|--------------|

[Motion on amendment A23 lost]

**The Chair:** Further questions, comments, or amendments with respect to this bill? The hon. Member for Calgary-Elbow.

**Mr. Clark:** Yes, Madam Chair. I do have an amendment, which I will hand over right now and await your receipt of that, and then I will start speaking.

**The Chair:** This is amendment A24.

**Mr. Clark:** Thank you very much, Madam Chair. In light of that last amendment to restore the secret ballot process failing and other amendments in efforts to eliminate the card check process – oh, I apologize. I have to read out the amendment. My apologies. I will do that now.

I move that Bill 17, the Fair and Family-friendly Workplaces Act, be amended in section 113(1) in the proposed section 34(2) by striking out “and” at the end of clause (d) and by adding “and” at the end of clause (e) and by adding the following after clause (e):

- (f) the trade union or a person acting on behalf of a trade union did not engage in a prohibited practice under section 151(f) against any of the employees in the unit the Board considers an appropriate unit for collective bargaining.

I will just talk about why I've come up with this amendment and then dive into the details of specifically what it does. I don't like the card check process, Madam Chair. I don't think that's any secret, but given that we've seen repeated attempts to restore the fundamental principle of a secret ballot fail in this House, I thought I would do whatever I can to try to improve the card check process.

**9:10**

One of the biggest challenges to the card check process is the perception if not the reality – one would hope not the reality. But at the very, very least it's the perception of intimidation as part of the certification process. What I hope this amendment does is that it strikes a reasonable balance, which I think actually could be a win if the card check process is to move forward. It looks like it is, whether we like it or not. So if it's going to be there, what can we do to make it as good as it can possibly be? Make a bad idea as good as it can be, I guess, is sometimes all we can try to do in opposition. Hopefully, Madam Chair, this could be seen as a win for unions because it strengthens the process. In the case where the 65 per cent threshold is met, it removes the perception that intimidation happened.

As the bill is currently written and as I interpret it, the Labour Relations Board does not have the power to investigate or could perhaps be interpreted not to have the power to investigate. Let's just look to section 113(1) of Bill 17, that repeals section 34 and replaces it with a new section 34, which outlines what the Labour Relations Board can do when certifying an application for unionization. The heading is Inquiry into Certification Application, and 34(2) reads:

- (2) Before granting an application for certification, the Board shall satisfy itself, after any investigation that it considers necessary, that
  - (a) the applicant is a trade union,
  - (b) the application is timely,
  - (c) the union applied for, or a unit reasonably similar to it, is an appropriate unit for collective bargaining,
  - (d) subject to subsection (8), the employees in the unit the Board considers an appropriate unit for collective bargaining have voted, at a representation vote conducted by the Board, to select the trade union as their bargaining agent, and
  - (e) the application is not prohibited by section 38.

What we're doing is adding a section (f) to that to ensure that the Labour Relations Board can also consider whether or not the trade union or a person acting on behalf of a trade union did not engage in a prohibited practice under section 151(f), which I'll get to in a

minute, against any of the employees in the bargaining unit. What this says is that the Labour Relations Board will be able to review and include coercion and intimidation as one of the areas that they consider when inquiring into the certification of an application. If this test is met, we can be satisfied, and as long as the Labour Relations Board is satisfied, I think Albertans can be satisfied that no coercion or intimidation happened. That's obviously a concern we've heard repeated again and again.

Any process that's open, that involves a vote that is not a secret ballot process is open to this risk. I'm not suggesting that it happens every single time. I'm sure it doesn't happen every single time, but it's certainly open to the risk. What evidence do we have of that? The evidence that was presented by the government and by Mr. Sims is that when there's a card check process that takes place that is followed by a secret ballot, as Bill 17 will enable for those card checks that achieve 40 to 65 per cent – when there's a secret ballot vote that follows a card check process, that vote tends to be 15 per cent lower than the card check process.

Now, why would that be? Well, I wonder why that is. That might be that people feel pressured into signing a card in open, plain view of their colleagues – they actually don't want the unionization drive to happen – and then in the secret ballot process mark an X for no as opposed to yes. The reason that 65 per cent was chosen was because of that 15 per cent difference. Given that, it's very difficult for me to hear from the other side that no intimidation ever happens, that no one is ever leaned on, that no kind of quiet conversations happen in the hallway. When 15 per cent of people are changing their vote, very clearly something has happened. Something is different between what people do in the privacy of a voting box and what happens when it's all in plain view.

To ensure that the system is as sound as it can be, this amendment seeks to enable and ensure that the Labour Relations Board has the power to consider whether or not there was intimidation, a prohibited practice under section 151(f). By the way, the wording that we got for my amendment comes from the current labour code. Section 151(f) is not repealed or amended by Bill 17. It is already today in the labour code, will continue to be in the labour code, and is not changed by Bill 17. It uses almost exactly the same language, which is why we have adopted it here for this amendment.

Again, I'm not a believer that a card check process is appropriate. I don't believe it's necessary. I think it's a step backwards. This amendment attempts to address the greatest shortcoming of a card check process, and I sincerely and genuinely would encourage and hope that the government would consider this amendment and include it in Bill 17 to make what is not a great provision of the bill at least just a little bit better.

Thank you, Madam Chair.

**The Chair:** Any other speakers to amendment A24?

**Ms Fitzpatrick:** Let me introduce myself. Apart from being the MLA for Lethbridge-East, I was for 32 and a half years with the Public Service Alliance of Canada. I was the person that the opposition referred to as a UT or a UB, a union thug and a union boss. You know what? I'll wear that, and I'll wear it proudly because if a union thug means that I represented my members, I did. I never lost a grievance. I might have gone to mediation to get it finalized, but I never lost one. The one thing that I'm most proud of is that, in fact, I met with management on every issue that came up and tried to resolve it at the lowest possible level, and in most cases I did.

Now I'm going to speak to this amendment. I am opposed to the amendment because in my 32 and a half years of being part of a union that did organize other groups to become part of our union,

first of all, we didn't have a 15 per cent difference between the card check and the vote. We always had a higher number who voted to be unionized than signed on the card check. I'm also going to tell you that I was spoken to by management during my 32 and a half years on many occasions and told that my career was at risk if I continued to support the union and do the things that I was obligated to do under the duty of fair representation.

I joined the union because I became a public service worker, and right from the very beginning it was suggested to me that I not sign off on the fight for pay equity for women by not just one boss but probably half a dozen. I told you that I'm a boat rocker, but more importantly I am somebody who fights for equality and fights for what is right. Now, that clause (f), that's already, as you said, in the current legislation, doesn't say anything about those bosses who try to intimidate you to not sign a card. It isn't the union organizers, at least certainly not a good union organizer, who would ever try to intimidate anybody. We talk about what the union does. We talk about the weekend that you enjoy, that's brought to you by the union. We talk about fair, decent wages that are negotiated, not legislated.

9:20

You know what? I'm here as a legislator, and I believe that every time we sit down with any union that represents GOA employees, we do it on a fair and respectful basis. And you know what? One of the biggest things that the union members I represented asked for was respect. The reason many of them joined unions was that they were not respected in their workplaces. They were not valued for the work that they did. And you know what? When there's a union in place, many times that changes because the employer doesn't want unrest in the workplace.

I absolutely support Bill 17 – absolutely – but I can't support this amendment because it's going after the wrong group. Thank you.

**The Chair:** Calgary-Elbow.

**Mr. Clark:** Thank you, Madam Chair. You know, I want to agree with the Member for Lethbridge-East. Intimidation of all kinds is absolutely wrong. So for your employer to come and try to lean on you to not sign off on pay equity, it's absolutely wrong, fundamentally, absolutely, one hundred per cent wrong. It shouldn't have happened under any circumstance. And that's what this amendment seeks to address. There are times when intimidation is going to happen.

Let's also not forget that Bill 17 extends the window for a unionization drive from 90 days to six months – it doubles the time – so that gives more opportunity for people to be influenced one way or the other. That doubling of the time is another big challenge.

Also, I just want to address the question of whether employers are allowed to interfere in the process or intimidate. Of course they aren't. That is already in the legislation, as it should be. Employers should also not be allowed to intimidate, and that is already clearly covered in the labour code. It's already covered in section 149(c) in the current labour code, so it's already there.

Again, I would encourage the government to rethink this, vote in favour, and include this because I do think that although the card check process itself is flawed, this would at least perhaps strengthen it and bring more of a perception of legitimacy.

Thank you, Madam Chair.

**The Chair:** Any other members wishing to speak to this amendment? The hon. Member for Barrhead-Morinville-Westlock.

**Mr. van Dijken:** Yes. Thank you, Madam Chair. I'm going to speak in favour of the amendment that's being proposed by the Member for Calgary-Elbow. As he's alluded to, it's not ideal. We

both very much support the principle of secret ballot, and under this system – the minister calls it a hybrid system – the principle of secret ballot is actually lost and is essentially done away with. We have a situation now where there's potential for individuals to use coercion, intimidation, threats, promises, or any undue influence to move forward.

He also brings up a very valid point that it's now extended into pretty much six months' worth of time where these employees can be intimidated and coerced and can continue to be harassed, so even more time for the employee to finally say: okay; just get off my back. We need to ensure that we recognize that there is a potential for disruption and a potential for employees to feel very much uneasy in their workplace. I don't believe that there's any need for that. If we look at the fact that the secret ballot allowed them to vote their conscience, that's a relief valve there.

I will support this amendment, trying to ensure that we continue to work in this province in a way that protects the employees on the front lines from any undue influence, coercion, intimidation, any of those types of activities that go on and that could possibly be going on. You know, we can all sit here and think that it's not going to happen, but history has shown us that it can happen. In any situation where you are not protecting the democratic principles within a society, these types of situations tend to arise over time. I believe that this amendment helps us to try to stem the tide on those types of situations and those uncomfortable positions that employees might find themselves in.

Thank you, Madam Chair.

**The Chair:** Any other speakers to amendment A24?

Seeing none, are you ready for the question?

[The voice vote indicated that the motion on amendment A24 lost]

[Several members rose calling for a division. The division bell was rung at 9:26 p.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

|              |           |            |
|--------------|-----------|------------|
| Anderson, W. | Gotfried  | Schneider  |
| Clark        | Hanson    | Starke     |
| Cooper       | Hunter    | Strankman  |
| Cyr          | Loewen    | Taylor     |
| Drysdale     | MacIntyre | van Dijken |
| Ellis        | McIver    | Yao        |
| Gill         | Pitt      |            |

9:30

Against the motion:

|              |              |           |
|--------------|--------------|-----------|
| Anderson, S. | Jansen       | Renaud    |
| Bilous       | Kazim        | Rosendahl |
| Carlier      | Kleinstauber | Sabir     |
| Coolahan     | Larivee      | Schmidt   |
| Dach         | Loyola       | Schreiner |
| Dang         | Mason        | Shepherd  |
| Drever       | McCuaig-Boyd | Sigurdson |
| Feehan       | McKittrick   | Sucha     |
| Fitzpatrick  | Miller       | Turner    |
| Gray         | Miranda      | Westhead  |
| Hinkley      | Nielsen      | Woollard  |
| Hoffman      | Piquette     |           |

|         |          |              |
|---------|----------|--------------|
| Totals: | For – 20 | Against – 35 |
|---------|----------|--------------|

[Motion on amendment A24 lost]

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

**Dr. Starke:** Thank you, Madam Chair. At this time it's a pleasure to introduce an amendment that I believe addresses a concern that was raised a little bit earlier. I'll just hand it to the pages. I'll wait until everyone has had a chance to look at it, but I'll preface the comments without going past the bounds of what is within the standing orders with regard to making reference to a past vote because I don't suggest to do that.

What I do think that I recognize – and I believe that it is a recognition on the part of members on both sides of the Assembly – is that over a period of time Albertans have accessed medical services from an ever-expanding group of medical practitioners. Where perhaps at one time a family physician was the only source of medical assistance or information, we do know that that is changing. One of the key sources of information is nurse practitioners. We had a debate on that on a motion that was brought forward by my colleague the Member for Grande Prairie-Wapiti. That debate was held just earlier today.

I do want to give credit where credit is due, and that is certainly to our colleagues on the government side, specifically to the minister in this case, and that is recognizing that there was an opportunity that we shouldn't pass up to improve this piece of legislation.

With that, with those remarks to preface this introduction of this amendment, I would like to move that Bill 17, the Fair and Family-friendly Workplaces Act, be amended as follows. In part A section 2 is amended by adding the following after clause (g): (g.1) by repealing clause (p) and substituting the following:

(p) "medical certificate" means a statement signed by a physician who is entitled to practise medicine under the laws of the jurisdiction in which the physician practises or by a member of another health profession authorized by the regulations for the purpose of this clause.

In part B section 33 is amended in the proposed section 53.9 by striking out subsection 1(c) and in subsection (4) by striking out "issued by a physician."

In part C section 35 is amended in the proposed section 53.96 by striking out subsection 1(d), in subsection (5) by striking out "issued by a physician," and in the proposed section 53.97(3) by striking out "issued by a physician."

Finally, in part D section 93(a)(viii) is amended by adding the following before the proposed section 138(1)(m): "(1.1) for the purposes of section 1(1)(p), authorizing members of other health professions to sign a medical certificate in respect of one or more provisions of this Act."

A very simple and straight-forward amendment, Madam Chair. The net effect of this – in fact, it serves to combine a couple of other amendments that we had prepared but that we actually had withdrawn after the defeat of the amendment introduced by Grande Prairie-Wapiti – is recognizing that other health professionals are providing services to Albertans, critical services, and in some areas of the province nurse practitioners and other health professionals as well. I think this amendment is good. It is very robust in that it allows for adding additional health professionals to the overall definition whereby people couldn't get the certificate that they required to qualify for the leaves that are specified under the various sections that are specified here.

What this allows for is people who use nurse practitioners, especially in communities, you know, like the one that my colleague represents or like the one I represent in Vermilion, where

many, many people have come to rely on nurse practitioners as their number one source of medical assistance and information for them and their families. I think it acknowledges the contributions of nurse practitioners to the overall health care system in Alberta, and I think it also acknowledges that we are moving toward a system of more team-based medical care, especially in the primary care areas, that are so critical to the overall health of Albertans.

I do want to thank the minister for the work that she and her staff did with members of our caucus staff in drafting and sort of reworking this amendment. I can tell you that this amendment had about three or four different drafts before we landed on this. But we have landed on this, and while it may be unusual to see this sort of rapid co-operation between the sides of the House, as we often said or was often said when I hit one of my very rare straight and long golf shots: even a blind pig finds the occasional truffle.

Madam Chair, it's with a great deal of pleasure that I move this amendment, and I hope that it garners the support of members of all sides of the Assembly. I think that it's a positive change to what is otherwise a flawed piece of legislation. It is a change that will provide assistance and provide increased and more ready access to some of the more palatable parts of this particular bill, and therefore I'm entirely in favour of it, and I hope that members on both sides of the House agree with this amendment.

Thank you.

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

**Ms Gray:** Thank you very much, Madam Chair, and thank you very much to the member for this amendment. I think it's very good. I think the member does himself a disservice referring to himself as a pig, but I do think that he has found a good amendment with this change.

**An Hon. Member:** Pigs are very clever.

**Ms Gray:** Pigs are indeed very clever. You're exactly right.

I appreciate what this amendment is doing, which is providing more flexibility and giving us the opportunity to continue to work to make this legislation the best it can be, and by deferring to regulations, we'll have the opportunity to make sure that we're engaging in consultation with the people we need to be talking to.

Madam Chair, I would like to improve upon this good idea by introducing a subamendment.

**The Chair:** This will be known as SA1.

Go ahead, hon. minister.

**Ms Gray:** Thank you very much. Madam Chair, what we're doing with this subamendment is essentially accepting what is a really solid amendment and then improving upon it by touching on something that impacts group terminations. We want to make sure that for the purposes of group terminations we allow for circumstances where someone might be excluded from group terminations.

To read my subamendment out loud, amendment A25 is amended by striking out part D and substituting the following: section 93(a) is amended in subclause (ii) in the proposed clause (d.3) by adding "respecting the circumstances under which a notice under section 137 is not required," before "respecting the information," and in subclause (viii) by adding the following before the proposed section 138(1)(m): "(1.1) for the purposes of section 1(1)(p), authorizing members of other health professions to sign a medical certificate in respect of one or more provisions of this Act."

9:40

With the introduction of that subamendment I thank the member opposite for bringing forward this change and speaking to how it

will impact his community. I hope all members will support both the subamendment and the original amendment. Thank you very much, Madam Chair.

**The Chair:** Any members wishing to speak to subamendment SA1?

Seeing none, are you ready for the vote?

[Motion on subamendment SA1 carried]

**The Chair:** We're back on amendment A25. Are there any further speakers to this amendment?

**Mr. Yao:** Sure. Why not? Let's do this. Madam Chair, how are you tonight? You know what? This is a good amendment. I'm going to raise his blind pig and a truffle and go with: a blind squirrel finds a nut every now and again.

Recognizing other health professionals: you know, this is a good amendment because it is time to start recognizing the other health professionals. Currently if you look at the way the health system has evolved, we really have evolved to a point where even amongst doctors they're too specialized. Now, my father, back in the day before we had access to a lot of those specialities, would do all the stuff himself. If someone had a foot issue, maybe it was a foot elevation; one leg was shorter than the other. He had to figure those things out himself. He had to read books. He had to consult by calling people. It was a little bit difficult sometimes for people to travel, so he'd have to do the work of a podiatrist, an orthopaedic surgeon. Well, as a doctor he had to learn how to translate those X-rays and to try to figure out about those fractures and all that sort of fun stuff. And it goes on and on.

[Mr. Sucha in the chair]

In this day and age we now refer to internists and psychologists, anything and everything, Mr. Chair, and that just demonstrates how specialized medicine has gotten. But as our health system gets more expensive, I think we realize that we need to maybe reconsider how we do things and re-evaluate and recognize that perhaps we might not want to consider physicians as gatekeepers to our health care system, that perhaps we should consider allowing other professions to provide the support. One of those, as identified by the good Member for Vermilion-Lloydminster, is nurse practitioners. That is one step. There are also physicians' assistants and other professionals that are slowly evolving over time to the point where we feel strongly about the education levels that they have and their capabilities because they have experience in analyzing and evaluating a lot of this stuff. It is important that we do recognize a lot of these other groups.

Again, I think this amendment really is a step forward in helping with that. In this bill, of all things, we might actually get that foot in the door for the rest of our health system to continue to evolve so that even the Member for Banff-Cochrane could possibly be one of those gatekeepers one day if he furthers his education and his experience.

This is a good amendment. I hope that everyone agrees and everyone concurs and votes in favour of it. Thank you very much, Mr. Chair.

**The Acting Chair:** Are there any other speakers to amendment A25?

Seeing none, I'll call the question.

[Motion on amendment A25 carried]

**The Acting Chair:** We are back on Bill 17.



**Mr. Mason:** Mr. Chair, I think that's a very commendable act of co-operation across the aisle tonight. Carry on.

**The Acting Chair:** The hon. Member for Calgary-Fish Creek.

**Mr. Gotfried:** Thank you, Mr. Chair. I'd like to rise today to make an amendment on behalf of the Member for Vermilion-Lloydminster, who is tired after having his successful amendment there. I have the requisite number of copies here with me. I'll begin reading once the table gives me the permission to proceed.

[Ms Jabbour in the chair]

**The Chair:** This is amendment A26.  
Go ahead, hon. member.

**Mr. Gotfried:** Thank you, Madam Chair. One of the themes of this government's labour legislation is that businesses are not to be trusted. I heard reference on the other side to union thugs. I don't think anybody's used that term, and we'd like to think that there's...

**The Chair:** Hon. member, I've just noticed, on the amendment that you've presented, that you've done it on behalf of the Member for Vermilion-Lloydminster. However, he's in the House, so you can't do it on his behalf.

The hon. Member for Vermilion-Lloydminster.

**Dr. Starke:** Well, thank you, Madam Chair. In danger of tempting fate and trying to go for two in a row, I'll now read the amendment into the record.

I move that Bill 17, the Fair and Family-friendly Workplaces Act, be amended by striking out section 141 and substituting the following: section 151 is amended (a) by renumbering it as section 151(1); (b) in subsection (1), (i) in clause (d) by adding "subject to section 151.1" before "except" and (ii) by repealing clause (h.1); (c) by adding the following after (1):

(2) If a complaint is made in writing to the Board in respect of an alleged failure by a trade union or person acting on behalf of a trade union to comply with (1)(a) to (g), the written complaint is itself evidence that the failure occurred and the trade union or the person acting on behalf of the trade union has the burden of proving that it did not.

Now, Madam Chair, again I want to point out that I think one of the key things in this piece of legislation is the concept of balance and that having balance between both employers and employees, whether those employees are represented by an organized labour union or not and regardless of what form the employer takes, whether that's an individual proprietorship, a partnership, a small, medium-, or large-sized business, or indeed a large corporation – you know, in general I think that we can all agree that that co-operative relationship between employees and employers has benefited Alberta over the years. We have had a strong economy, notwithstanding the fact that that economy at times does suffer from various challenges that we are very familiar with.

9:50

Now, I think that in general Albertans have the sense that the people that run businesses, that own businesses and have businesses are, for the most part and in the main, decent people who treat their employees with respect. Certainly, my experience over the period of time that I was involved in our business and in other businesses that I was involved in, some of which were operating in a union environment, was always one where I recognized that our employees were, in fact, one of our greatest assets, if not our greatest asset, especially serving in a service industry, as we did.

We were only able to provide the service and the care that we provided through our practice through the expertise, the skill, the knowledge, the compassion, and the commitment of our employees. I can tell you that when we had a team of employees that worked together and, you know, were all on the same page with regard to the importance of providing those services, we always felt that that was the ideal circumstance. To have a great deal of turnover or to have a situation where we had employees coming and going was never a preferable thing.

Because of this, though, I think that one of the things that we have to guard against is that there's bias – and I mentioned this in a previous debate, that there's bias – either bias against a trade union, a labour union, or bias against an employer. Now, I guess our concern in moving this legislation or this particular amendment is that I believe that there are aspects of this piece of legislation that are, in fact, negative towards business, and they make assumptions about business that I think are not necessarily borne out in fact.

The section in the new, proposed legislation that places the burden of proof on a business to show that they did not commit an offence that they've been accused of seems to me to be an overreaction. You know, I can understand the desire of the government to target businesses, which I would suggest are in the vast minority, that are trying to take advantage of employees. But if that's the standard that they're going to be held to, then I believe that it's only fair, once again, that unions be held to the same standard. We discussed this mirror image in this fairness proposal whereby the provisions are a mirror image. Now, in that situation it was the certification versus decertification of a union, but in this situation it's the proof to determine that there's a breach of section 151 of the Labour Relations Code.

In the same way that I think it is fair to state that most businesses, the vast majority of businesses, I would suggest, treat their employees with respect and recognize the importance of a positive and harmonious labour and management relationship, I think it's also true to say that the vast majority of unions work in the best interests of their membership. They provide those benefits and look out for grievances that can arise from time to time in the workplace. Unions provide advocacy on behalf of their workers that is valuable. I think that they have moved the cause of social justice forward, and I think it's important that we recognize the fact that the organized labour movement has done these things.

You know, it's interesting. I'm reading a book right now, called *The Winter Years*, that talks about the situation in post World War I Winnipeg leading up to the Winnipeg General Strike, and it talks a lot about the emergence of the labour union movement in western Canada and the importance of the labour union movement in terms of addressing some of the imbalances that occurred at that time.

In terms of the overall fairness that we need to talk about in section 151, section 151 talks about placing an onus on businesses to prove that coercion or unfair influence, shall we say, has not occurred. You know, to suggest, though, that only employers, that only management can be guilty of that and that somehow the other side of the equation, labour unions, never has that happen, I think, is disingenuous. I think most people would agree and understand that that's simply not a reasonable thing to expect. So if we are going to put safeguards in this piece of legislation guarding against employers abusing employees in a situation like that, I think we should have similar or mirror-image safeguards in place with regard to labour unions.

I think that there should be balance and fairness in legislation, and that is exactly what this amendment is trying to address. I would therefore ask members on both sides of the Chamber to support this amendment.

Thank you, Madam Chair.

**The Chair:** Any other members wishing to speak to amendment A26? The hon. Member for Calgary-Fish Creek.

**Mr. Gotfried:** Thank you, Madam Chair. I just wanted to rise in support of this amendment, which, again, I think is about fairness and balance. I think the Member for Vermilion-Lloydminster stated that the majority of employers are good, hard-working, honest, and decent people, and the same is true of the unions, but this balance to protect against those few that may not be, I think, is a valid argument to be made and protects employees, which is the intention of this.

Madam Chair, I was involved in the past with a company and had a lot of work with a group called the Great Place to Work Institute. That institute is the purveyor of the best workplaces in Canada, and they work with employers not just to win awards but actually to improve their performance as employers to ensure that they meet the highest standards and expectations of their employees. The company I worked for was a member of that, the best workplaces in Canada, for over 10 years, and we see other organizations doing these: best employer recognition in Canada, in Alberta, in various provinces.

The key factor in that is actually something called the trust index, and it's, surprisingly, a secret ballot, a secret questionnaire of all the employees, which actually determines, after all of the metrics are put in place, whether that company actually measures up to the expectations of their employees. I can tell you, Madam Chair, that that trust index is transparent. There's no way to identify how people answer, but it is the true measure of whether an employer is a good employer and a fair employer and a decent employer who really looks out for their people.

I can tell you that the outcome of that – and I think it was mentioned by the Member for Vermilion-Lloydminster as well, the pride and the hard work and the customer satisfaction that come from creating a positive work environment like that – does deliver things like employee pride, employer pride, which comes from that, customer satisfaction, and, actually, a strong performance of the bottom line. Those are measurable from the satisfaction and hard work of the employees.

The other thing is that – it might be a little different right now – during busy times in Alberta one of the biggest goals of most employers is to attract the best talent, and one of the best ways to attract that best talent is by actually being recognized as a best employer.

Madam Chair, I just want to implore all the members of this House to support this amendment, which, again, creates balance between the unions and the employers to the benefit of Alberta employees.

Thank you, Madam Chair.

**The Chair:** Edmonton-Decore.

**Mr. Nielsen:** Thank you, Madam Chair. I appreciate the member bringing forward this amendment. Right now what we have in the regulations is that the Labour Relations Board is able to conduct hearings with regard to any kinds of actions that are taken that are against the rules. That already exists. We're not aware of this type of legislation being present anywhere else in other jurisdictions. You know, it kind of plays a little bit, again, to that narrative that unions out there are these big, bad, bogey organizations that are constantly looking to do things in the wrong way, to do things unfairly, to pressure people.

With that being said, Madam Chair, I'm not able to accept this amendment at this time. As I said, the board can conduct hearings with regard to any problems that are happening. Either the union or

the employer is able to apply for those types of things, and the labour board has the expertise to figure this out. I would urge all members in the House to not support this.

**The Chair:** Any other speakers to amendment A26? The hon. Member for Calgary-Hays.

10:00

**Mr. McIver:** Ever so briefly, after hearing about the pigs and the truffles and the nuts and the squirrels, I only had to say that I support this because this legislation really speaks to the axiom of what is good for the goose is also good for the gander.

**The Chair:** Any other speakers to amendment A26?  
Are you ready for the question?

**Hon. Members:** Question.

[Motion on amendment A26 lost]

**The Chair:** We're back on the main bill. Are there any further questions, comments, or amendments with respect to this bill? Grande Prairie-Smoky.

**Mr. Loewen:** Okay. Thank you, Madam Chair. I just want to read a bit from *Hansard* here from way back. This is from the MLA for West Yellowhead.

Subsequent to all of that input, the final report of the committee was put out, a document that was received with interest by Albertans. I forget the exact number, but something like 8,000 or 10,000 of them were distributed around the province. Again, considerable input was received, Mr. Speaker, and that input was considered in the development of draft legislation termed Bill 60. That draft legislation was tabled in the Legislature on June 17, 1987, and the government invited input from everyone who felt they had an interest in it. The Bill was intentionally left over the winter for input. We received some 300 briefs in response to Bill 60, and I myself had over 200 meetings with individual Albertans, groups of Albertans of all types. In other words, the process that I described which led up to the introduction of Bills 21 and 22, which is under consideration this evening, was probably unprecedented in Alberta for the consideration of new legislation.

Now, Madam Chair, that is from June 7, 1988. The previous year the government of the time and the MLA for West Yellowhead at the time introduced Bill 60, which was the Labour Code. Now, what's interesting is that they introduced it on June 17 for consultation with the public, and what they did subsequently was that they were in consultation with the public for 10 months. Of course, this government consulted with the public for 27 working days. I would say that that makes the previous government about 10 times better at consultation than this government. That's just some simple math for you.

What they did do, which was interesting, is split that bill up into two bills, bills 21 and 22, employment standards and labour relations. Now, where have we heard that before? Here we have a government that the present government complains about all the time, and they actually split the bill into two pieces so that they could separate two different issues altogether.

Now, another thing that's really interesting in here is that they introduced Bill 21.

But let's talk about Bill 22. They introduced Bill 22 on April 15, 1988, and it gets past third reading on June 30, 1988. That's 10 weeks that it was before the Legislature. What did we have? Well, I think we've had about seven days of discussion on this bill here. Ten weeks is 70 days. Seven days that we had with this government:

that, again, makes the previous government about 10 times better than this government.

Bill 21, introduced on April 15, 1988, was passed on July 5, 1988: 11 weeks of legislative discussion on that bill.

Madam Chair, I'll leave it at that, just a little bit of history as far as that we keep hearing about 29 years ago since the last labour legislation hit the province here, any changes, and obviously how it was done then is substantially different than how it was done now with this government. I would suggest that it was previously done about 10 times better than this time.

Thank you.

**Mr. Mason:** Well, we've carried on successfully for a little while, so I would like to move that the committee rise and report progress.

[Motion carried]

[The Deputy Speaker in the chair]

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

**Mr. Sucha:** Thank you, Madam Speaker. The Committee of the Whole has under consideration a certain bill. The committee reports progress on the following bill: Bill 17. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official record of the Assembly.

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

**Hon. Members:** Aye.

**The Deputy Speaker:** Any opposed, say no. So ordered.

[The Speaker in the chair]

## Statement by the Speaker

### Page Recognition

**The Speaker:** Good evening, hon. members. If I could just have your indulgence for a very special event that I know all of you look forward to, and I know I speak for all members when I say that one of the most enjoyable experiences that we have in this House is seeing the efforts, the courtesy, the professionalism, and dare I say the patience of the pages who serve this institution on a regular and very disciplined basis.

I would now ask that all of the pages who are here if they might, please, come to the dais in front. Many of them are not with us tonight, but I would like to read to you on their behalf a letter which has been written by the pages to the House. I know that the hon. Government House Leader may begin to cry when I read this, but I'm going to try not to, okay?

Dear Mr. Speaker,

Although the end of the Spring Sitting marks the halfway point of this Assembly's Third Session, for some of us the conclusion of today's sitting represents the end of our time on the Chamber floor. We have created everlasting memories while delivering bills, amendments, notes and even sharpening pencils for some of the Members.

10:10

I'm looking. I'm sure there is ample evidence of who that might be.

For this, we would like to express our sincerest gratitude, and for the incredible opportunity we have had to serve the Legislative Assembly of Alberta.

We would like to take this opportunity to thank the many people who have supported us throughout this memorable experience: the Sergeant-at-Arms for imparting on us his pearls

of wisdom and exceptional leadership; the Table Officers for their constant guidance and a breadth of knowledge; the office staff in 315, 412, and the Speaker's Office for demonstrating to us the true meaning of dedication to one's work; and, the Legislative Assembly Security Service members for their round-the-clock sense of humour. We would also like to extend our heartfelt gratitude to Mr. Speaker, and all Members of the Legislative Assembly, without whom our role in the Chamber [simply] would not exist. It has been a great honour to facilitate each and every Member's service to the people of Alberta.

When we began serving the Members and Officers of Alberta's Assembly, none of us could have possibly imagined the impact that the Page Program would have on our lives. We are especially thankful for the amazing depth of knowledge we gained through our time here. Nevertheless, it is not just the broad understanding of the functions of Parliament that will stay with us; nay, it is the appreciation of the human side of our parliamentarians and their support staff. The Members and Officers of the Assembly stand as a source of inspiration to never cease striving for more than we thought previously possible.

As our time in the Chamber comes to an end, we look forward to giving up our "Best seat in the House" to the next generation of Pages, knowing that incredible experiences lie ahead for them. From our four chairs in the Chamber, we feel extremely privileged to have witnessed the making of decisions that will determine the future of our province. As we turn a new page and a new chapter in our lives, we will use the experiences and knowledge gained here, under this dome, to guide us in our future endeavours.

Farewell and don't forget us,

Kylie Kwok, Alyssa Bucyk, 28th and 29th Legislatures

Andriy Krugliak, Avery Roberge-Eadie, Caitlyn Brown,

Chelsea Parker, Christian Fotang, Claire Sandercock, Lauren

Barter, Lucille Bergmann, Moses Ndekezi . . .

He gave me a hard time about this last week.

. . . Olivia Adams, Rowan Ley, 29th Legislature.

I know that I speak for all of you. I would ask the Deputy Speaker if she might come forward and present to our head page a small token of our appreciation.

What she's really telling her: because the best people that are in the House today – we didn't have the official gift packaged and available because you're such an unpredictable group of people. But I told the head page that the new car would be delivered to her house in the morning.

Hon. members, I wonder if we might . . . [Standing ovation]

I think the demonstration of emotion by all of the members expresses nearly not enough of their appreciation of all the work that you have done. Thank you very, very much, and the very best. I suspect that many of you will be sitting in these rows very, very quickly.

## Government Bills and Orders

### Committee of the Whole

(continued)

[Ms Jabbour in the chair]

**The Chair:** I'd like to call Committee of the Whole to order.

### Bill 18

#### Child Protection and Accountability Act

**The Chair:** Are there any questions, comments, or amendments with respect to this bill? Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Well, thank you, Madam Chair. I rise today, of course, to discuss in Committee of the Whole Bill 18, which is before the

House this evening. I think as we start to discuss Bill 18 tonight and begin to go through all the amendments that will come forward in an attempt to try to make this legislation better for the children of Alberta, it's important that we take a few moments to discuss the process that we have had to follow to get here, the process that has been started in order for us to get this legislation here because that is really what we should be comparing the legislation to, the lens that we should be looking at this bill through as we begin to discuss amendments.

I think it's important for all members of this House today to remember that the reason that we are debating this bill today, the reason that we have gone down this path over the last several months on the panel, that I sit on and that you sit on, Madam Chair, is because of a little girl, a four-year-old girl by the name of Serenity, who died. She died in the care of our province. She was sexually assaulted, she was beaten, and she was starved. When that came to light, people began to express concerns about Serenity's well-being, about the fact that the government had let her down, that the people around Serenity had let her down.

The Child and Youth Advocate carried out a review of Serenity's death. At the time we did not know Serenity's name, but the advocate did a review. An investigative journalist, Paula Simons, put a face and a name to the little girl that was identified in that report, Serenity. The public was outraged. Madam Chair, you were outraged. All of us in this Chamber were outraged, and we demanded answers.

Public outrage was renewed when it was discovered that the RCMP were missing key documents from this government that were needed for the criminal investigation into the death of Serenity. This government then responded to that outrage. After tremendous pressure from the public and tremendous pressure from the opposition the government responded finally and established the Ministerial Panel on Child Intervention. Now, I will say, Madam Chair, that the government was right. We needed to examine the child death review process and also take a second look at the system that let little Serenity down in the first place.

Phase 1 of the panel and Bill 18 are about the child death review process. Unfortunately, Madam Chair, as you know, this panel did not discuss Serenity's case specifically. In fact, it was stopped at all times by the NDP majority on that panel from being able to discuss the case of Serenity in any detail. Despite the fact that we witnessed in this Chamber repeatedly the minister and the Premier and the Deputy Premier rising and saying that the panel was discussing Serenity and was able to discuss Serenity, the fact of the matter is that that was not the case. That has been prevented. It's disappointing to the people that are on the panel. It is most definitely disappointing to Albertans, who trusted this government to bring forward the panel to actually deal with the case of Serenity. When most Albertans find out, when I tell them and when other people discuss with them that in no way have the panel members been allowed to talk about the case of Serenity and that, in fact, they have been stopped by the NDP majority on that panel, they are extremely disappointed.

In addition to that, I am very disappointed in how this government has twisted one of the panel's recommendations in particular. The panel brought forward several recommendations on the death review process, but one that's very important is that the panel recommended that a legislative committee be given the mandate to ensure accountability. Madam Chair, you know, because you sit on that panel with me, that one of the main issues that came to light often in the discussions of the panel and the people that presented to the panel was concern around transparency and accountability when it came to children in care.

The Auditor General, recognizing the concern, recommended that the Child and Youth Advocate have a committee for itself similar to how the Auditor General has the Public Accounts Committee. That recommendation was very clear from the Auditor General, and the recommendation to do that was very clear from the panel. However, this government instead decided to do an audit advisory committee for the advocate, which is not at all about accountability. Its job is not to follow up and ensure that the advocate's recommendations are being followed. Instead, the advisory committee gives the advocate feedback on its report before it is made public.

The number one concern, again, was accountability and transparency. The Auditor General identified it. The panel identified it. The experts on the panel identified it. This government, instead of taking the path of the recommendations that the panel came forward with, lowered the level of transparency, lowered the level of accountability, and decided to go with the status quo. For those who are concerned about what happened to Serenity and other children like her, that is extremely disappointing. It is extremely disappointing and shocking.

Now, here we are in Committee of the Whole, and I have to say that I'm not super optimistic about this bill because, quite frankly, Madam Chair, I don't think it goes far enough. It goes nowhere near what the recommendations of the panel were. It doesn't even touch nearly to the level of what the panel recommended. It goes nowhere near where the experts have suggested that we go. It goes nowhere near the recommendations that have come out of other panels in the past. In fact, Paula Simons, the lady who worked so hard doing investigative journalism to bring this to light to the people of Alberta, goes so far as to call it "a betrayal of public trust." This bill that is before us is a betrayal of public trust.

**10:20**

We need to ask ourselves: if this legislation had been in place five years ago, would it have prevented what happened in Serenity's case? Madam Chair, that is the question that we should be asking ourselves. That is what we set out to do six months ago. The fact that the NDP have chosen to block any attempt to be able to deal with the details of Serenity's case is troubling, and that is the lens through which we should look at this to decide if this government and the panel were able to accomplish what they started.

Madam Chair, the most appalling thing that I have learned through this process is this. Not one internal death review has been completed. Not one. Zero. It's shocking. This bill does not even deal with internal reviews. Recommendations dealing with internal reviews have been deferred again, something completely against the panel that you and I were a part of and a completely different direction by this government. Another betrayal of public trust.

Now, I hope that the government has given some serious consideration to our amendment, Madam Chair, that we will bring forward in Committee of the Whole. In fact, we sent those amendments to them well in advance in an effort to be able to work with them to attempt to make this legislation better for the people of Alberta. With that said, though, I do think that it is important that we remember, as we go through this debate, the lens of that poor little girl that brought us here, that little four-year-old girl who despite people calling for help for her, despite reports of sexual and physical abuse to her ended up starving to death under our watch, who is still not allowed to have been talked about despite the claims by the Premier, the Deputy Premier, and the Minister of Children's Services, who continue to rise in this House and say that. It's extremely troubling.

While I do hope that during Committee of the Whole, as we start here, we will be able to make that legislation better, I think it's

important that we also recognize from the start that this legislation does not go far enough, that it is a betrayal of public trust. It is incumbent on this government across from us to take steps now – we are going to give them an opportunity – to make this legislation at least a little better for the people of Alberta and that going forward they will actually use the panel and their ability as a government to finally fix the child intervention system and not continue to just provide lip service and try to sweep it under the rug.

With that, Madam Chair, I look forward to more discussion during Committee of the Whole on the bill.

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

**Mr. McIver:** Thank you, Madam Chair. I'm happy to rise on Bill 18, the Child Protection and Accountability Act. It's one that's received some discussion. There are some good things in this bill, but I think there's also room where, if we worked together as a group and as a team, we can improve this bill. It's in that spirit that I would like to move an amendment with your permission. I'll wait for your word before I...

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

**Mr. McIver:** Thank you, Madam Chair. I move that Bill 18, Child Protection and Accountability Act, be amended in section 1(14)(a) in the proposed section 21 by adding the following after subsection (1):

(1.1) The Advocate must report in the Advocate's annual report under subsection (1) on the progress of the implementation of the Advocate's recommendations.

Now, Madam Chair, this amendment, I believe, is important. It doesn't really change the substance of the government's bill, with one exception. It requires an annual report on the progress of the advocate's recommendations. In other words, it's a way for the government to show faith, that they are taking the children in care issue seriously. It's an opportunity for the government to improve the accountability and the transparency of the efforts that all of us on all sides of this House want to make. As my colleague from Rimbey-Rocky Mountain House-Sundre said ever so recently, when we serve these children well, we serve them well on all sides of the House, and when we fail these children, we fail these children on all sides of the House.

I'm hopeful that all members of the House will support this amendment. Again, it's an effort to strengthen the bill. It's an effort in a way to say to Albertans that children in care are that important, and we think that we want to report to Albertans on a regular basis and let them know how we are doing at improving the conditions of those children in care.

With that, I will listen to the debate, and I will respectfully ask all members of the House to support this amendment.

**The Chair:** The hon. Minister of Children's Services.

**Ms Larivee:** Thank you, Madam Chair. I just want to speak to how wonderful it is to be here today with all of my colleagues in this House to talk about the bill that came from recommendations that were arrived at via consensus in an all-party panel that engaged in a way that, quite honestly, is historic, to really work together to address this long-standing, complex problem and to have a very open and transparent conversation in a way that had not happened previously.

Madam Chair, I'm thankful to the panel for all of the work that they did to come to these recommendations because, clearly, the child intervention system has been in need of change for a very long

time. We're proud of the work that we've done as a government and the work that we did prior to government in terms of advocating for this. It's certainly a wonderful day to work together with my colleagues to make this bill even better.

With that, in terms of the current amendment being presented, it is the current practice of the Child and Youth Advocate that he reports on recommendations in the annual report. However, I certainly support that he continue to do so and have no problems with mandating or requiring that to happen via legislation. I would be pleased to support this amendment.

**The Chair:** Any other members wishing to speak to amendment A1? Are you ready for the question?

[Motion on amendment A1 carried]

**The Chair:** Are there any further questions, comments, or amendments with respect to this bill? The hon. Member for Chestermere-Rocky View.

**Mrs. Aheer:** Thank you, Madam Chair, and good evening, everyone. It's always with sadness and regret that I rise to speak on this particular situation and to Bill 18, the Child Protection and Accountability Act. Why am I full of regret? Well, simply because of the road that we travelled to be here today and that every time that I think about my own children, these precious young men that I've had the privilege of raising, she crosses my mind. When I go into my pantry, that is chockfull of food, late at night to grab a snack or I let the dog out at 3 a.m., I think about that little sweetie pie, Serenity, padding across the floor in the middle of the night to get food because she was starving. Her picture and her story are discussed in our home all the time, and we try to honour her and the others' memories and the children that we as government are responsible for.

We're compelled to see and hear and experience this tragedy over and over again. Why? Because we must never forget the rape, abuse, terror, and starvation and the story of Serenity. We must never ever stop asking the question: who did this to her? Who is responsible?

Alberta's Child and Youth Advocate called for better safeguards after we lost Serenity in 2014. Madam Chair, I think that what is equally sad, for me anyway, is that we not only lost her in this tragic and painful and horrific death, but we lost her under mountains of paperwork. We lost her to incompetence and gaps in a broken system and finger pointing. When this case emerged publicly, none of us slept, I'm certain, knowing that we had shirked our responsibilities to this family and this child. We demanded information and clarification to try and understand how this case could have been so poorly handled. We kept on at the government day after day, question after question. Nothing.

10:30

Finally, in response to the appalling and horrible handling of Serenity's file, the government agreed to an all-party panel. Here we are at the end of phase 1, Bill 18 in hand, and we're here to debate the child death review process. Just let that roll around in your mind for a minute. The child death review process. Where are we with this? That's the billion dollar question. How is this little girl honoured? How is accountability honoured in this process when the panel members themselves, who've spent weeks and weeks and weeks at the table discussing how to protect our children, are not privy to all the information to legitimately help make decisions and are literally blocked by the government from asking questions?

Madam Chair, how does one attempt to find solutions when there are limitations to discussions of the very members tasked to finding

those solutions? I don't know about anybody else, but the vision of this little girl just doesn't leave. How does that work, exactly? I mean, the bill is a start, but constantly you look at these kinds of things, and you have to ask: what has the bill set out to accomplish? Where is the clarity? Within that clarity, how do we accomplish that? How do we make sure that Albertans understand that children in our care are going to be competently taken care of?

For example – and I'm repeating, and I apologize for that, but I think it's important – not one child death internal review has been finished to date, Madam Chair. Why? Why can nobody give us an answer about that? Why is there no clarity on the children who've passed under our watch and how that happened? How are we supposed to create legislation when we don't know from where the mistakes came? Who's being held accountable for that? I mean, legitimately we look at a lot of legislation in this House, but if we can't protect our children, then what is this for?

With respect to Serenity I want to know where the ball was dropped and who or what minister's or organization's mess-up led to this little girl's death. This isn't a finger pointing. We've been called "going on witch hunts," all sorts of things like that. Well, you can call it whatever you want. Call it whatever you want. That will in no way stop this side from every day digging in to find out what happened to her. When she was starving in the middle of the night, she would go across from where she lived and then be beaten for taking food. Don't you want to know who did this to her? I certainly do. There's no amount of blocking that can happen that will ever stop us from asking those questions over and over again. How did this happen?

Another important question, like with any piece of legislation: does the bill actually do what it's intended to do? Does it bring accountability, and is it going to protect the children? That is the name of the bill, isn't it?

I have to say that when the bill was brought forward, I was extremely grateful to see a piece of legislation that, obviously, had a lot of panel members in a nonpartisan way working together, but then to see that the legislation doesn't adequately reflect the title yet again? This is entirely different. This isn't an electricity bill. This is a bill about human beings. This isn't about fair and family-friendly environments. This is about children. Don't you think, Madam Chair, that the title should adequately reflect accountability and protecting children? I don't understand how that's being reflected in this bill.

So many of the panel recommendations have been deferred to the next phase, but if the panel members themselves are not privy to the information to inform them on how to envision this legislation, Madam Chair, how is the panel effective? The panel members are literally trying to help create legislation, basically feeling around in the dark, trying to figure out through nuance what the government is trying to achieve. What's the endgame, folks? The government succumbs to pressure from the opposition to have a panel to find out what happened and then goes forward to withhold information that could – and I think that this is the most frustrating part for me. What happens in this panel right now could actually determine a go-forward with respect to laws that could actually save children, potentially save children. It could go from being a death review to a review about potential things that could actually stop those deaths from occurring.

So what is being hidden? Why are there no consequences for the ministries that do not respond to the advocate's request? Why? How are you going to explain that to Albertans? Why is the panel being blocked from digging into a case so that the appalling mistakes that led to Serenity's death never happen again? What meaningful changes will come from this? There is nothing in this bill to show

that the work that was done here by many members in this House actually has followed through.

Now, I understand that there's another phase to this, and I respect the fact that legislation like this can't only happen in one chunk. In fact, I appreciate the fact that it's been broken up. I do. We've asked for that on other legislation. That's a very reasonable thing. But if this is the beginning to legislation that lacks clarity, how do you go forward? We're asking people on this side of the House and everywhere else to help make legislation while uninformed.

The point of the panel, in my understanding and based on the title, was to create accountability, to protect children, to create legislation that will inherently change the way we look at how a child is taken care of in government care, to create best practices – right? – I would assume. Now the advocate will rely on public pressure to force the government ministries to respond to the advocate or to take and implement the recommendations. What is mind boggling is that public inquiries, investigative reporting, or sheer luck may be the only way to reveal the truth.

There are fears that fewer fatality inquiries will be held because of this bill. How is that possible? How do we balance privacy and still be transparent? Well, here's an idea: let the panel discuss it with all of the relevant information so that together you can come up with solutions on how to proceed. From my understanding, solutions were put forward. Ideas were put forward. Questions were asked and not answered. How do we actually protect the children? That is the intended outcome of this panel, isn't it? Am I correct in understanding that?

Let's talk about some interesting gaps in Bill 18, Madam Chair, that seem to be built to help cover up some of the mistakes that have already been made. This is very disconcerting. It sounds a bit deceptive, doesn't it? Well, let's unpack that a little. The government, in its infinite wisdom, has given itself the ability to pause the investigation. Just in case you didn't know that, that's actually being done by the government, to pause the investigation. I'm telling you that if I had the privilege of being in government right now, I would be looking at the ministerial bench and saying: are you kidding me? This is when it's imperative for government to hold government accountable for their actions. Or do the members opposite just prefer to be guilty by association? Ask the questions, people. This is important.

To the members opposite: did you know that this little piece was added in? On top of that, what's worse is that that was not in the previous act. Why would you add in a loophole to cover up mistakes? This is actually a delay. This isn't even about actual time. This is about the effect that a delay can have on the ability of an advocate to do their job. A delay like this is actually an artificial limitation that has nothing to do with what's going on and certainly does not enhance this legislation. We are supposed to protect these children, Madam Chair. We're supposed to protect them, not be looking for loopholes to protect ourselves.

**10:40**

The panel's job was to come up with solutions and legislation to understand how we ended up here. If it hadn't been for the media release, where would this even be? Still buried somewhere. So we are given this absolutely amazing opportunity, really, if you think about it, that this horrible, tragic death could lead to legislation that may save another child from a similar situation, yet we give every opportunity to stop this legislation from being all that it could be. I don't understand. I'm a mother. I have a gazillion friends who are parents and people who are in all sorts of situations, and, without judgment, their children end up in all sorts of different situations for various things. If all of us in this House cannot honestly stand here and say that we can be responsible and make sure that that

legislation is there to protect those children, why are we here, Madam Chair? Why? What was the point?

The panel's job was to come up with solutions and legislation to understand how we ended up at the point with the deaths of these children in our care, not to cover them up. I can honestly say: how do you participate in something like that and walk away from this building knowing, ultimately, that you've created a loophole in your own legislation to stop the ability to reveal the truth? When a child is in government care and they are returned to their family, we must still make sure that those children are safe, and we have failed. So I ask the question again, Madam Chair. You were a part of this panel. Many people in this House were part of this panel. How do you look at these things; how does the government look at this information and honestly stand up and say, "We've done everything possible at this point to make sure that no other child will endure what Serenity went through"? We haven't done anything to make sure that that won't happen again because we haven't held anybody responsible.

This isn't about finger pointing or witch-hunting. Again, I really don't care what you want to call it, but until somebody is held responsible for this act, the perpetrators will continue to be able to get away with these things without consequences. Do you know who's going to take the responsibility for that? All of us.

I must say again that I would love to be able to understand how this legislation is actually going to enable us to do our jobs to make sure that this little girl, Serenity, is not only honoured but that the horrible things that she endured will not ever happen to another child in our care ever again.

Thank you.

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

**Mr. Clark:** Thank you, Madam Chair. I want to speak briefly on this. As a member of the child intervention panel I want to bring a little perspective. I just want to be very clear that I agree absolutely with the sentiment of the Member for Chestermere-Rocky View and where she's coming from. I share her emotions and her, I know, legitimate desire to ensure that what happened to Serenity never happens again, that what we in this House do and what we do in that committee spurs real action and real change, and that we never allow that to happen ever again.

That is how we honour Serenity, and that's absolutely what I certainly intend to do. I hope that we get the facts about Serenity's case from the minister. I've written to her, as I know other members in the opposition have, and I hope at some point we will see those. I'm optimistic that we may in fact yet get a chance to see that information confidentially so we have the full information we need to do our job.

We do need to spur action, but I think we also need to be very careful about knee-jerk reactions. You know, we've been debating Bill 17, and one of our criticisms, I think, legitimately, of Bill 17 is that not enough consultation went into what the government did. One of the challenges and risks we take here by acting too quickly on Bill 18 and adding too much in is that we may in fact make changes without proper consultation. There's some risk there.

While I think that the government certainly should not be given a free pass and there are gaps and additional changes I'd like to see in the bill – and hopefully this evening we'll see some more amendments coming forward – I think we need to be careful to ensure that what we do does not jump ahead of the process. There is other legislation. The Child and Youth Advocate Act is under review by the Legislative Offices Committee. That's going to make some recommendations which I know will touch on some of the

things that – we want to be careful about anticipating that committee as well.

Of course, there needs to be accountability – of course, there does – in Serenity's case specifically and in other cases as well. But let's not fool ourselves into thinking anything other than – the horrible situation that Serenity found herself in and that other children in our province find themselves in is the end of a very long and tragic road that has its roots in colonialization, has its roots in residential schools, has its roots in poverty. Those are things that we as a society, as a community need to grapple with, but no single bill of this Legislature, unfortunately, as much as we'd like it to, can solve those problems overnight. We can take steps to make it better every day.

While I think that Bill 18 certainly has its shortcomings, again I will hope that some of the amendments that we see coming tonight will address the shortcomings, as the one amendment that has passed already this evening has done. I hope we have that opportunity, but let's be careful that we don't jump to conclusions. Let's allow the process to play itself out. I think that, Madam Chair, is how we will honour Serenity and ensure that this never happens again.

Thank you.

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

**Mr. Nixon:** Thank you, Madam Chair. I would like to move an amendment. I have the appropriate number of copies. I'll just wait till you tell me I can start.

**The Chair:** This is amendment A2.

Go ahead, hon. member.

**Mr. Nixon:** Thank you, Madam Chair. This amendment states that the legislative committee which receives the advocate's annual report will review it and report back to the Assembly within 90 days.

As you know, Madam Chair, one of the concerns that we continually saw on the panel was the fact that often stuff was not taking place for long periods of time. There were no clear timeline or accountability mechanisms. You know, one of the great examples is, of course, the fact that zero internal investigations have ever been done by the department.

Now, what the panel wanted was a committee like PAC, like the Public Accounts Committee. They wanted to have a PAC-like committee, the same thing the Auditor General wanted, that would follow up on the advocate's recommendations to improve the lives of children in the intervention system. Now, sadly, this bill does not give us that. This bill does not give us what the recommendations of the panel were. I know that the minister earlier this evening rose in this Chamber and said that it does, but – let's be clear – it does not. The fact is that this does not give us a PAC-like committee to work with the advocate. It does not do what the Auditor General's recommendation was. However, this measure is at least to encourage clarity and some more accountability by giving the committee a deadline to review the reports it receives from the advocate. A similar section, interestingly enough, is found in the Property Rights Advocate Act but only allows the committee 60 days.

A reminder that I would say to the government members of this House is that the advocate is concerned that nothing in this act before us right now requires the government to act. The advocate, the person the government is putting in charge of these reviews with this bill, is concerned that this act, that the government has brought here, does not compel it to act. In fact, Madam Chair, the bill simply just states that the government department must respond to his

recommendations. This amendment attempts to provide some clarity on that timeline, at least a little bit of accountability, and responsibility.

I encourage all members of the House to vote for it.

10:50

**The Chair:** The hon. Minister of Children's Services.

**Ms Larivee:** Thank you, Madam Chair. I want to say once again that what happened with Serenity absolutely was a tragedy, but there have been many, many, many tragedies over the years. She's not the only one. There have been many children who have died while in care, over many decades, in this province. Certainly, there has been an indication for a very long time that we needed to make change.

Again, I'm very proud of our government for creating a Children's Services ministry, for investing in families, and I'm certainly proud of this legislation and proud to go forward. Certainly, the job of this House, unlike the justice system, is to protect children going forward, to craft legislation so that as we go forward, we can do a much better job of protecting Alberta's vulnerable children. Madam Chair, I think this legislation is an important step moving in that direction.

In regard to this current amendment, certainly I do feel that this provides some clarity in the legislation, and I would be happy to support this amendment.

**The Chair:** Any other speakers to amendment A2?

Seeing none, are you ready for the question?

**Some Hon. Members:** Question.

[Motion on amendment A2 carried]

**The Chair:** Are there any further questions, comments, or amendments with respect to Bill 18? The hon. Member for Calgary-Hays.

**Mr. McIver:** Thank you, Madam Chair. I appreciate the opportunity to rise on Bill 8.

**Some Hon. Members:** Bill 18.

**Mr. McIver:** Pardon me?

**An Hon. Member:** Eighteen.

**Mr. McIver:** Eighteen, yes. I left the "teen" off. Thank you for that correction, everybody. Gee, it's starting to be so helpful here, Madam Chair. I can hardly believe it. I would like, with your permission, to move an amendment, please.

**The Chair:** This is amendment A3.

**Mr. McIver:** May I proceed?

**The Chair:** Go ahead.

**Mr. McIver:** Thank you, Madam Chair. I appreciate that. Here's what the amendment says, that the Child Protection and Accountability Act be amended in section 1(8), in the proposed section 14.1, by adding the following after subsection (5):

(5.1) A person must not take any adverse employment action against another person because that other person, acting in good faith, provided information or records to the Advocate for the purposes of carrying out the Advocate's powers, duties and functions under this Act.

Madam Chair, what this amendment suggests that we do is that we protect people who protect children. That's what this says. This says that if somebody provides the office of the Child and Youth Advocate with information or documents in good faith that they believe will protect a child in care, they are protected. I think that's completely within the spirit of the act. I believe it's within the spirit of what the government's intentions are in the act. I believe that it should be viewed positively by every member of the House.

Without this, Madam Chair, I think – you know, if we can't get support for this, I think the rest of the act will be in some trouble because, of course, the act is intended to increase and improve the protection for children that are under the care of the government, which by extension is under the care of us in this Legislative Assembly. I think it's only logical. It's only right. To me it's an obvious thing to do to protect a worker or a citizen that helps the office of the Child and Youth Advocate to protect those very children.

With that, I don't think it takes a lot more explanation of this. I believe it's fairly straightforward. I hope that this meets with the approval and the support of the House, and I shall sit down and listen to the debate and comments that come forward.

Thank you, Madam Chair.

**The Chair:** The hon. Minister of Children's Services.

**Ms Larivee:** Thank you, Madam Chair. We'd like to thank the member for his thoughtful amendment, that clarifies and strengthens the legislation as it responds to the panel's recommendations, and on that note, we will be voting in favour.

**The Chair:** Any other members wishing to speak to this amendment?

Seeing none, are you ready for the question?

**Some Hon. Members:** Question.

[Motion on amendment A3 carried]

**The Chair:** Are there any further questions, comments, or amendments?

**Mr. Nixon:** Madam Chair, I'd like to move an amendment. I have the appropriate number of copies.

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

Go ahead, hon. member.

**Mr. Nixon:** Thank you, Madam Chair. This amendment is simply to clarify what we hope is already the expectation of Bill 18. Bill 18 states, "The Advocate must report annually to the Speaker of the Legislative Assembly." This amendment states that the Speaker must then table this report so that all members may review it. This measure encourages accountability and encourages follow-up on the recommendations contained within the advocate's report. I hope all members of the Assembly support it.

**The Chair:** Any other members wishing to speak to amendment A4? The hon. Minister of Children's Services.

**Ms Larivee:** Thank you, Madam Chair. Certainly, having looked at the amendment, I'd like to thank the member opposite for the amendment. Once again, we would be happy to accept it in the spirit of the fact that this is very much legislation resulting from the panel's recommendations.

**The Chair:** Any other members wishing to speak to amendment A4? Seeing none, are you ready for the question?



**Some Hon. Members:** Question.

[Motion on amendment A4 carried]

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

**Mr. McIver:** Thank you, Madam Chair. I appreciate the opportunity to stand and to move another amendment to Bill 18. I'll try to get that number right the first time without all the help that I required last time around. Madam Chair, again, as I believe is the custom, we'll wait till you give me the go-ahead on this.

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

Go ahead, hon. member.

**Mr. McIver:** Thank you, Madam Chair. The amendment that is being distributed is that the Child Protection and Accountability Act, Bill 18, be amended in section 1(3)(a), in the proposed section 9(0.1), by adding the following after clause (b):

(b.1) is the child of a child referred to in section 2(d).

Madam Chair, section 1(3) of the bill amends section 9 of the Child and Youth Advocate Act explicitly to include several types of people as a member of the family of the deceased child, but those sections of the CYA Act and the Family Law Act do not robustly address young mothers. This amendment proposes to add children of young mothers to the list of people that make up members of a child's family, essentially the children of children. Changes would need to be made in section 1(3)(a) of Bill 18. Calgary's child intervention system provides services for persons up to the age of 24. The intent of the panel with their recommendation was to investigate deaths of individuals who had received services within two years of death.

11:00

Now, Madam Chair, there are many young mothers in this province that, unfortunately, need the services of the child intervention system, and children of those young mothers are obviously family members. So if a young mother passes, that young mother's children should be eligible for the emotional and community supports like the rest of their family and to participate in their mother's death review process. Obviously, if they're of that age, by participate it would mean get the support due and eligible to family members as articulated in the government's bill, as I believe is intended in the government's drafting of the bill.

Making it explicit that the children of children, which is, of course, in the case of young mothers, ought to get the support due to other family members, to me at least, seems self-evident, that this is an extension of what's in the legislation. I don't know whether it's something the government overlooked or didn't think of. I certainly don't believe that the government left this out on purpose, and I'm sincerely hopeful that the government will consider this an improvement to the text that's in the bill now and an improvement to the care that will happen for the families of children in care when those unfortunate incidents crop up when a death occurs.

I recommend that members of the House support this, and I will sit down and listen to that debate and comments and hear what members of this Legislature have to say.

Thank you.

**The Chair:** The hon. Minister of Children's Services.

**Ms Larivee:** Thank you, Madam Chair. We appreciate the spirit of this amendment. However, involving very young children in the child death review process is a very complex issue. The advocate already has a lot of discretion in terms of who to involve as well as

a very broad definition of family in the legislation, so at this point we're unable to support this amendment.

**The Chair:** Any further speakers to amendment A5? Calgary-Hays.

**Mr. McIver:** Thank you, Madam Chair. I guess I'll just say to the minister that that's disappointing. I think Albertans listening to this debate either now or in the future will indeed be set back just a little bit by the government's refusal to provide services to the children of children in care; in other words, the children of very young mothers having the courtesies, the support, and the means of looking after those kids that are available to other family members under the act. I have to say that I'm disappointed heartily that the government, the minister, has just said that they will not extend that courtesy to the most vulnerable of Albertans, the most vulnerable of Albertans being, in many cases, newborn children who are, in the case of this amendment, the children of children that are in care.

I'm heartily disappointed and hopeful that in the next few minutes the government will see their way clear to supporting the most vulnerable of all Albertans.

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

**Mr. Nixon:** Yeah. Thanks, Madam Chair. I rise in support of my colleague from Calgary-Hays' amendment. I am disappointed to hear the comments from the minister that, you know, she and her government will not take the steps to make sure that the children of children in care are also covered and put within this legislation. The minister indicated to the hon. Member for Calgary-Hays that it was complicated. Madam Chair, I would submit to you that most of the issues that we have been dealing with on this issue for the last several months are about as complicated as it gets. However, I don't think that we should shy away from something that's complicated when we are dealing with consequences that involve the loss of life sometimes of children that are in care.

The argument that it is complicated or that it's hard to do is something that I reject, you know, and I would encourage the minister to reconsider that argument and certainly everybody in this House to support the Member for Calgary-Hays' excellent amendment.

**The Chair:** The hon. Member for Airdrie.

**Mrs. Pitt:** Thank you, Madam Chair. I rise to speak in favour of this amendment. Quite often in my personal experience and in my professional experience as an MLA I've come across children of children in care in the system who absolutely need to have the protection that should be provided to them. I think this is a generational problem, and I'm very saddened to hear that the government will not be supporting an amendment like this. I think it's very short sighted. I absolutely believe that this will be a mistake, and I have a feeling that this will be something that will need to be brought back to the Legislature and amended at a different time and brought forward in another separate piece of legislation because I absolutely believe that this is an oversight.

This is a shame, and I urge all members of this House to reconsider and to support this amendment. Thank you.

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

Seeing none, are you ready for the question?

[The voice vote indicated that the motion on amendment A5 lost]

[Several members rose calling for a division. The division bell was rung at 11:06 p.m.]

[Fifteen minutes having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

|             |           |            |
|-------------|-----------|------------|
| Aheer       | Gotfried  | Pitt       |
| Cooper      | Hanson    | Schneider  |
| Cyr         | Jean      | Starke     |
| Drysdale    | Loewen    | Strankman  |
| Ellis       | MacIntyre | Taylor     |
| Fildebrandt | McIver    | van Dijken |
| Gill        | Nixon     | Yao        |

Against the motion:

|               |              |           |
|---------------|--------------|-----------|
| Anderson, S.  | Gray         | Miranda   |
| Babcock       | Hinkley      | Nielsen   |
| Bilous        | Hoffman      | Notley    |
| Carlier       | Horne        | Renaud    |
| Carson        | Jansen       | Rosendahl |
| Ceci          | Kazim        | Sabir     |
| Clark         | Kleinstauber | Schmidt   |
| Coolahan      | Larivee      | Schreiner |
| Cortes-Vargas | Littlewood   | Sigurdson |
| Dach          | Loyola       | Sucha     |
| Dang          | Luff         | Sweet     |
| Drever        | Mason        | Turner    |
| Feehan        | McPherson    | Westhead  |
| Fitzpatrick   | Miller       | Woollard  |

|         |          |              |
|---------|----------|--------------|
| Totals: | For – 21 | Against – 42 |
|---------|----------|--------------|

[Motion on amendment A5 lost]

**The Chair:** Are there any further questions, comments, or amendments with respect to Bill 18?

**Mr. Nixon:** Madam Chair, I'd like to move an amendment. I have the appropriate number of copies for the pages, and I will wait till you tell me I can proceed.

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

Go ahead, hon. member.

**Mr. Nixon:** Well, thank you, Madam Chair. This amendment clarifies that the court's role in dispute resolution when it comes to Bill 18 is to determine whether there is a reasonable basis for a stay of an investigation.

Now, Madam Chair, I hope and I think you hope that this is already the intent of the legislation. We think, though, that it's not clear and that clarification is worth while. Now under Bill 18 the only requirement for a stay of the advocate's investigation is that, in the opinion of a senior official or ADM, it "could reasonably be expected to interfere with... an ongoing law enforcement investigation" or prosecution. I would contend and argue that the court should be determining whether that opinion is reasonable or not.

We presume that the dispute resolution process is not there only to rule on procedural issues; for example, whether a written request was done properly or not. The default should be that these reviews are happening. The panel and, I think, Albertans expect that these reviews are happening. It should not be super easy to interfere with the advocate's important work. If there is to be a stay of an investigation, there had better be a good excuse as to why. Not only is it burdensome and unnecessary for the advocate to notify and involve all these people for reviews of this nature and for agencies – oh, I actually think the core point, given the time, is that it should not be the advocate's responsibility to prove that investigations

should not happen; it should be the people that are looking for the stay. And a judge should not only determine whether or not the appropriate procedures have been followed to apply for a stay but that there's a reasonable reason why that investigation is being delayed.

With that in mind, I would ask all members to vote for this amendment.

**The Chair:** Any other members wishing to speak to amendment A6? The hon. Member for Calgary-Shaw.

**Mr. Sucha:** Thank you, Madam Chair. I want to thank the hon. member for bringing forth this important amendment. I think it's important that we provide as much transparency for the advocate as possible, and this amendment is quite valuable just to clarify certain clauses within the legislation. I'd encourage all members of the House to support this important amendment.

**The Chair:** Any other members wishing to speak to this amendment?

Seeing none, are you ready for the question?

[Motion on amendment A6 carried]

**The Chair:** Are there any further questions, comments, or amendments with respect to this bill? Calgary-Hays.

**Mr. McIver:** Thank you, Madam Chair. I appreciate this. I have an amendment prepared, and with your permission I shall put it forward.

**The Chair:** This will be known as amendment A7.

Go ahead, hon. member.

**Mr. McIver:** Thank you, Madam Chair. Now, this amendment, I believe, is an important one. It's somewhat of a technical one, but I hope members will agree that it's an important one.

It reads like this, that the Child Protection and Accountability Act, Bill 18, be amended as follows. In the following provisions "or their designate" is added after "Assistant Deputy Minister responsible for the Alberta Crown Prosecution Service": section 1(3)(b), in the proposed sections 9(6)(b) and 7(b); section 1(4), in the proposed sections 9.1(5)(b) and 6(b); and section 1(4), in the proposed section 9.2(1)(b).

[Ms Sweet in the chair]

In the following provisions "or their designate" is added after "Assistant Deputy Minister": section 1(3)(b), in the proposed sections 9(6)(b) and 7(b); in section 1(4), in the proposed section 9.1(5)(b) and (6)(b); and finally, in section 1(4), in the proposed sections 9.2(1)(b)(i) and (ii).

Now, Madam Chair, section 1(3)(b) of this bill enables the assistant deputy minister responsible for the Alberta Crown prosecution service...

11:30

**The Deputy Chair:** Hon. members, good evening. It's getting awfully loud in here, and I'm having a hard time hearing the member read his amendment. If you could please just keep the volume down.

Thank you.

**Mr. McIver:** Thanks, Madam Chair. The amendment enables the assistant deputy minister responsible for the Alberta Crown prosecution service to tell the OCYA that reviewing a child death would or would not interfere with an ongoing prosecution. This

amendment to the proposed 9(6)(b) and the parallel sections would allow other designated individuals in that office to also provide information to the office of the Child and Youth Advocate about pausing and resuming investigations in the case where the assistant deputy minister is incapacitated or otherwise unavailable. I would hope members of the House would not want these important decisions on an investigation to be held up because the designated officer is unavailable and the authority is not there to designate someone else to do that in their absence.

For the same reason that we didn't want a single point where matters would be held up with the Labour Relations Board on Bill 17, we don't want to create a single point where the office of the Child and Youth Advocate review could be procedurally stalled if the assistant deputy minister becomes unavailable to update the OCYA on the status of cases. This enables the Crown prosecution service to designate other individuals to contact the OCYA other than the ADM. This, I believe, will strengthen the bill in that, again, it won't allow a couple of single points of failure to occur should two of the valuable members of the administration with the authority to provide this information be unavailable, for example, for things beyond their control: illness, family emergency, whatever it happens to be.

I hope the members of the government and other members of this House will see the value of not putting ourselves at risk of holding up the office of the Child and Youth Advocate from having important information and at risk of holding up important decisions about stopping or starting investigations. Of course, we want the office of the Child and Youth Advocate to go ahead, and for the people that have the knowledge and the authority to know when they might have to, in some cases, hold up a decision in order to not compromise an investigation, we don't want to be in a position where the person with the knowledge and the skill and the ability to do that is unavailable and no one else is designated to do that in their absence.

In that event, I don't believe that it changes the intention of the government's legislation at all, but I think it would be an important stopgap and fail-safe, and for that reason I would ask the members of this Legislature to support the amendment.

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

Are there any other members wishing to speak to the amendment? The hon. Minister of Children's Services.

**Ms Larivee:** Thank you, Madam Chair. The intention of this bill is to support reviews to proceed during police investigations whenever possible. That is why the bill requires a senior official from both police and the Department of Justice to contact the advocate when a stay is requested. Allowing only the assistant deputy minister to request a stay ensures that the responsibility is taken seriously and that stays are only requested when absolutely necessary. For that reason, this authority should not be delegated to a designate. This will ensure accountability for when these stays are requested. I know that accountability was important to the panel, and it is important to me.

Certainly, Madam Chair, should the assistant deputy minister be unavailable, there is always an acting assistant deputy minister who would be responsible in that particular case, and they would have all the authority to do so. For that reason, I will not be supporting this amendment.

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

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

Seeing none, I will call the question.

[Motion on amendment A7 lost]

**The Deputy Chair:** We are now back on the bill. Are there any members wishing to speak? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Thank you, Madam Chair. I wish to move an amendment. I have the appropriate number of copies for the Sergeant-at-Arms' staff.

**The Deputy Chair:** Hon. member, your amendment will be referred to as A8. Please go ahead.

**Mr. Nixon:** Thank you, Madam Chair. The panel, of which you, of course, are a member, wished to require the advocate to review all preventable deaths. You know, we recognize that it's difficult to define preventable, but by expanding the advocate's mandate to review all deaths of children receiving intervention service, this raises, quite frankly, some new concerns.

Remember, Madam Chair, that the advocate must notify the following during its reviews: any relevant government ministry, the members of the family, any relevant band, any relevant DFNA, any relevant community or culture group, any relevant law enforcement agency, the office of the Chief Medical Examiner, and Alberta Health Services. It also must involve many of these parties, and many of these are also required to hand over information and records for the investigation.

Madam Chair, what if, for example, a child who came into contact with the intervention system died tragically in a car accident or from leukemia? Not only would it be burdensome and unnecessary for the advocate to notify and involve all these people for reviews of this nature and for the agencies to subsequently turn over records, but it also might add stress to the grieving family members, worried about what that review means for them. This bill should be focused on holding our government accountable. Our concern is not with the advocate doing his or her job properly. This amendment does not prevent the advocate from doing anything or notifying people if the death is a medical death. It simply allows the advocate to use some discretion, and we would ask that the government support our amendment.

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

Are there any other members wishing to speak to amendment A8? The hon. Minister of Children's Services.

**Ms Larivee:** Thank you, Madam Chair. Certainly, there's full recognition of the fact that this legislation does go beyond just preventable deaths. We were somewhat concerned that trying to define preventable deaths would be a challenge and, in fact, might exclude some cases in which there should be a review because there would be an opportunity to learn from that.

I'm so proud of the work we've done in expanding the scope to ensure that the deaths of all children in care certainly are investigated. We certainly agree that there are times when the advocate needs discretion. We'd like to thank the member for raising this important issue, and we would be happy to vote in favour of this amendment this evening.

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

Are there any other members wishing to speak to amendment A8?

[Motion on amendment A8 carried]

**The Deputy Chair:** We are now back on the bill. Are there any other amendments, comments? The hon. Member for Calgary-Hays.

**Mr. McIver:** Thank you, Madam Chair. It's my pleasure to move an amendment to Bill 18, and I have it ready.

**The Deputy Chair:** Hon. member, your amendment will be now referred to as A9. Please go ahead.

**Mr. McIver:** Thanks, Madam Chair. Now, A9 is an amendment that the Child Protection and Accountability Act be amended by adding “, Métis Settlement, indigenous community or organization” after “any relevant Band” in the following provisions: section 1(3)(b) in the proposed sections 9(8) and (9) and section 1(4) in the proposed sections 9.1(8) and (9).

Métis settlements should be included in the list of people and groups to be contacted when a child dies during an investigation. Madam Chair – you know this as part of the committee – we heard a lot from Métis groups, and in many cases they feel left out by the system as it is now. They feel disrespected, and they have legitimate reasons for needing to be in the loop when their children are negatively affected in the system.

11:40

Section 1(3)(b) of this bill lists several types of persons or entities that the office of the Child and Youth Advocate should contact during an investigation or review, including “any relevant Band.” Our amendment proposes to add relevant Métis settlements and other indigenous communities or organizations that are not self-described as bands to the list of indigenous resources to be consulted by the OCYA. This is to recognize that not all indigenous children in care are members of an Alberta band or members of an indigenous community defined in federal or provincial law.

This also addresses indigenous children who are supported in urban settings by indigenous organizations that are not bands. Indigenous children from other provinces in Alberta's child intervention system or living in urban communities without band affiliation or membership should not be disadvantaged by the office of the Child and Youth Advocate due to geography.

This improves the legislation by making it more inclusive, and of course it makes it stronger by making sure that we don't leave out different indigenous groups. Madam Chair, you and I know and several other people on all sides of this House know that indigenous children, depending on how you add the numbers, make up between 50 and 70 per cent of all the children in care, and this is making sure that we include them and their settlement or their originating group that may not be described as a band in communication so that they don't feel left out, so that they get the respect and the privileges of citizenship that other citizens of Alberta get.

For that reason, I believe that this amendment strengthens the bill, and I sincerely hope for the support of all sides of the House for that reason. I will now sit and listen to the debate and comment that shall come forth.

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

The hon. Minister of Children's Services.

**Ms Larivee:** Well, thank you, Madam Chair. Before I respond to the amendment, I just want to take this moment to officially, in this Legislature, congratulate you on your engagement.

Now, Madam Chair, after that incredibly happy note, I just want to speak for a moment about the fact that, being the Member for Lesser Slave Lake, I actually have 12 First Nations and three Métis settlements in my riding, so I'm very familiar, having been a nurse there for almost 18 years, with the challenges faced by the indigenous people in both northern Alberta and right across this province. Certainly, there are tremendous barriers and issues for all indigenous people in this province, and we need to very seriously

move forward with strategies that improve the outcome for indigenous children in care.

Madam Chair, I have made a promise to the indigenous people of my riding and indigenous people right across this province that I will do so, and I am committed to moving forward on that promise because those children deserve better. I expect to move forward and make changes that will make that happen.

In regard to this amendment, given the uniqueness of First Nation service delivery the inclusion of DFNAs and bands was absolutely required. Indigenous advisers, based on the legislation, will provide advice on how to engage the appropriate communities as the advocate has been required to do so in the legislation. We have intentionally included Métis representation on that list to ensure that proper consideration is given to inclusion of Métis people, including the Métis settlements, but adding the blanket term “indigenous groups” is simply too broad.

Madam Chair, absolutely, the people of the Métis settlements, the children on Métis settlements deserve all the investigative review, but this is not just about geography. It's about service delivery and the uniqueness of service delivery with the First Nations. Given that the blanket term “indigenous groups” is too broad, we simply cannot support this amendment.

Once again, Madam Chair, congratulations.

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

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

**Mr. McIver:** Well, thank you, Madam Chair. I must express my disappointment, particularly after I heard that the minister promised the Métis settlements and the groups in her riding that they would be looked after. What we've heard in the committee is that there are a wider variety of indigenous groups than most people recognize and certainly a wider variety than has been traditionally recognized in the legislation. I think this is an opportunity where we could actually correct that shortfall. I'm disappointed that the government has chosen not to do that when we've heard over and over and over again that different indigenous groups feel disrespected, that they feel underserved, and that they feel ignored even though their children represent well over half of the kids in care and receiving services.

It would be a great disappointment if we don't receive support from the government on this amendment that, in my view, would seem completely in line with what the government has promised that they wanted to do and what we heard on the committee needed to be done.

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

Are there any other members wishing to speak to amendment A9?

[The voice vote indicated that the motion on amendment A9 lost]

[Several members rose calling for a division. The division bell was rung at 11:46 p.m.]

[One minute having elapsed, the committee divided]

[Ms Sweet in the chair]

For the motion:

|          |           |            |
|----------|-----------|------------|
| Aheer    | Jean      | Schneider  |
| Cooper   | Loewen    | Starke     |
| Drysdale | MacIntyre | Taylor     |
| Gill     | McIver    | van Dijken |
| Gotfried | Nixon     | Yao        |
| Hunter   |           |            |

11:50

Against the motion:

|               |              |           |
|---------------|--------------|-----------|
| Anderson, S.  | Hoffman      | Nielsen   |
| Babcock       | Horne        | Notley    |
| Bilous        | Jansen       | Piquette  |
| Carlier       | Kazim        | Renaud    |
| Carson        | Kleinstauber | Rosendahl |
| Ceci          | Larivee      | Sabir     |
| Clark         | Littlewood   | Schmidt   |
| Coolahan      | Loyola       | Shepherd  |
| Cortes-Vargas | Luff         | Sigurdson |
| Dach          | Mason        | Sucha     |
| Dang          | McPherson    | Turner    |
| Gray          | Miranda      | Woollard  |

Totals: For – 16 Against – 36

[Motion on amendment A9 lost]

**The Deputy Chair:** We are now on the original bill. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Thank you, Madam Chair. I have an amendment.

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

Your amendment will be referred to as A10. Please go ahead.

**Mr. Nixon:** Thank you, Madam Chair. It was made very, very clear by panel members and to panel members that more cultural sensitivity is necessary after a child in the intervention system dies. Our amendment is to ensure that we also have other nonindigenous culture experts available to advise the advocate.

The bill does have indigenous cultural experts to be able to advise the advocate. That was something that was important to the panel, and I'm happy to report, Madam Chair, that it's part of Bill 18, but the panel made it clear that they wanted to make sure that other cultural experts would be available for nonindigenous children that may have unfortunately passed away in the system. Indigenous families are disproportionately represented in the intervention system, but they do not account for all the children that are killed in care and do not account for all the families that are associated with children in care. The advocate should be prepared to consider the unique cultures of all child deaths it reviews, whether the child be indigenous, Somalian, Filipino, or Ukrainian.

I think it was clear that that's what the panel expected, and I would be disappointed to see the government vote against such a reasonable amendment.

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

Are there any members wishing to speak to amendment A10? The hon. Minister of Children's Services.

**Ms Larivee:** Thank you, Madam Chair. Absolutely, the panel wanted to ensure that reviews are conducted in a culturally appropriate way and paid special attention to the issues involving indigenous young people in care, so we've implemented the panel's recommendation by requiring the advocate to involve any relevant community or cultural group in his review, recognizing the diversity of cultures, religious identities, countries of origin, et cetera. This ensures that reviews are conducted in a culturally appropriate way while giving the advocate the flexibility to determine who best to engage on a case-by-case basis.

Madam Chair, we feel quite confident that we've met the intent of the panel in this measure and in the best way that respects the

flexibility required by the advocate. For that reason, I will not be supporting this amendment.

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

Are there any other members wishing to speak to amendment A10?

Seeing none, I will call the question.

[Motion on amendment A10 lost]

**The Deputy Chair:** We are now back on the bill. Are there any other members wishing to speak? The hon. Member for Calgary-Hays.

**Mr. McIver:** Well, thank you, Madam Chair. I have an amendment here, which I will furnish the copies for.

**The Deputy Chair:** Hon. member, the amendment will be referred to as A11.

**Mr. McIver:** Thank you, Madam Chair, and congratulations on your engagement.

Madam Chair, this amendment moves that Bill 18, the Child Protection and Accountability Act, be amended in section 1(3)(b) in the proposed section 9 by adding the following after subsection (6). It would read:

(6.1) Notwithstanding subsection (6), the Advocate may, with the consent of a party providing a written request under subsection (6)(a) or (b), continue or resume any part of an investigation that does not interfere with or harm an ongoing law enforcement investigation or prosecution.

Of course, the intent here, Madam Chair, is that while we need to be – and I think we all support this on all sides of the House – sensitive when something untoward either happens or is being investigated to not interfere with the investigation, what's equally important is to not hold up the work of the office of the Child and Youth Advocate in those cases where there is no risk to the investigation. That's why it says "with the consent of a party providing a written request" under those sections. This is a matter of not having unnecessary delays.

As we all know, one of the reasons, one of the events, the tragic life and death of young Serenity, one of the big issues that is still before us now is that the investigation is either not complete or at least not made public. I think we should all be feeling the urgency of this amendment to make sure that not only in Serenity's case but in the case of all other children the investigations of the office of the Child and Youth Advocate don't hold up any police or other investigations. But, on the other hand, we need to take care that at every opportunity the investigation of the Child and Youth Advocate can go forward without unnecessary or undue delay. I think we should all support those investigations going forward without unnecessary or undue delay. Certainly, we've seen the tragic evidence and the painful evidence experienced by the families and loved ones of children that pass in care when delays similar to Serenity's and other ones happen.

For that reason, I sincerely hope all members of this House will see the value in this amendment and will choose to support it for the betterment of Alberta's children in care and those that love them.

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

Are there any other members wishing to speak to amendment A11? The hon. Minister of Children's Services.

**Ms Larivee:** Thank you, Madam Chair. Certainly, this legislation provides the opportunity and the requirement for the Child and

Youth Advocate and law enforcement to move forward with a renewed relationship in terms of communicating with one another and relating to one another. We certainly feel that in the vast majority of cases the advocate's work will be able to continue. The legislation already provides for cases that are too complicated for concurrent investigations in a number of ways. So we will be voting against this amendment.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. minister.  
Are there any other members?

**Mr. McIver:** Well, Madam Chair, I'm disappointed in what I heard, in the minister's own words, that it'll be okay in "the vast majority of cases," when passing a simple amendment would get us past the vast majority of cases and perhaps get all cases done on time. Surely, that's worth adding a few words into the legislation. As a result, I sincerely hope that the minister, who promised only the vast majority of cases, will actually reach for that higher bar of all the cases and support this amendment.

**The Deputy Chair:** Thank you, hon. member.  
Are there any other members wishing to speak to the amendment?

Seeing none, I will call the question.

[Motion on amendment A11 lost]

**The Deputy Chair:** We are now back on the original bill. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Thank you, Madam Chair. I wish to move an amendment.

**The Deputy Chair:** Thank you, hon. member.  
This will be referred to as A12. Please proceed.

**Mr. Nixon:** Thank you, Madam Chair. You know, Bill 18 is supposed to be a bill that was about accountability. [interjections] I know the Government House Leader wants to participate in the debate right now, but I do hope he'll wait his turn. I'd be interested to hear from him today.

12:00

This bill is supposed to be about accountability and strengthening the child death review process. In fact, the Premier and the minister have risen in this Assembly often and, you know, tried to say that that's what their process was with the panel, when the fact is that that's not what's taken place. Sadly, that's not what's taken place. The panel, despite this government's best efforts during this panel to derail and stop accountability and transparency, was able to get some solid recommendations out mainly because the external experts, who are excellent, Madam Chair, sided with the opposition and against the government members of the panel to be able to force those types of things forward. Sadly, despite solid recommendations around accountability and transparency this minister and this government disregarded the recommendations from the panel and from the external experts and chose to go with that.

The problem with the timelines of the death review process have been highlighted again and again during debate. This government, Madam Chair, has not yet completed one internal death review to date. The Premier, who is laughing right now, has not finished one internal death review debate, not one internal death review debate.

This amendment reverses the onus so that the person staying an investigation – the minister, Madam Chair, maybe should listen so

that she will be able to understand what the panel recommendations were because she continues to rise in this Assembly and say that she knows what they were and misrepresent the facts. That's not what the recommendations were. The recommendations were to have a transparent process. This amendment that I am bringing forward right now will reverse the onus so that the person staying an investigation into a child's death is required to renew the stay. Right now the bill requires the advocate to follow up with the person staying their investigation to ask permission to continue. If there is an important reason for an investigation to be stayed, the person will take the steps to renew the stay. It's that simple. We are already burdening the advocate – and the advocate is concerned about it – with new responsibilities, and this would alleviate a tremendous load.

The default should be that reviews happen. The default should be that reviews happen and that the behaviour of this NDP government cannot continue with zero investigations, the whitewash that they continue to do, putting things underneath the rug. Hiding it from the public cannot continue, and with this legislation they continue to do it. They continue to hide from their responsibility for the people of Alberta at a time where we're talking about the issue that kids were killed in our care. It's shameful, and if the government truly, truly wants to do it, they will at least take the small step despite the fact that they completely ignored all the recommendations from the panel and went ahead with their own process to hide it.

I see the minister laughing about it, but I can tell you that the external members and the other members of the panel are extremely disappointed in her behaviour. They are extremely disappointed in watching the minister and the Premier rise in this House and say that they followed the panel recommendations. They are extremely disappointed to watch them completely disregard the Auditor General's recommendations. They are extremely disappointed to see what Paula Simons calls a breach of public trust by this Premier and this government when it comes to kids in care. It is disappointing. They have had an opportunity to stand up, and they could do what is right once and for all. But, sadly, Madam Chair, I suspect they will continue to whitewash it, continue to sweep it under the rug. I can tell you that this side of the House won't put up with it.

Let's see if they will truly put their money where their mouth is and stand up for accountability and transparency. Instead, what they will continue to do is whitewash children being killed in care, stand up and misrepresent the facts to the people of Alberta, say that they're supporting the panel's recommendations when they clearly are not.

**Mr. Clark:** Madam Chair, as a member of the child intervention panel, as a member who sits on this side of the House, I profoundly and fundamentally disagree with my hon. colleague from Rimbey-Rocky Mountain House-Sundre. This is an incredibly challenging topic. It's getting very late at night here. I know emotions are running high, and I will imagine that the member's intentions only come from a good place.

As I talked about earlier, we've heard over and over and over again that consultation has not been adequate on Bill 17 and many other things this government has done, and I agree with that. The process that we're going through on the child intervention panel is a thorough, methodical consultative process. If we jump ahead by putting things into a bill now, we do exactly the opposite of what the Official Opposition constantly asks the government to do, and that's consult. Especially in an area that is this complex and this challenging, if we don't think very hard about ensuring we get things right, then it's going to make things worse, so I will certainly be voting against this amendment.

You know, look, I don't think this bill is perfect. I don't think the government has done a perfect job of this, but it is an incredibly challenging file that has many and various complexities. I'm also very sensitive and in tune to the role that we play in this Assembly in creating and contributing to a culture of fear, in particular for front-line service providers in areas that are incredibly challenging, that go far beyond anything I have the bravery to do. I could never do that job. I don't have the guts to do that. There's no way I do, so I have tremendous respect for the people who do that job.

That isn't to say that there isn't work to do, because there clearly is. What happened to Serenity happened, and it shouldn't have. I know this government doesn't want that to ever happen again. None of us do. I know they don't, but I believe the process we're going through here on the child intervention panel is a good process. I would ask and hope that the Official Opposition commits to allowing the process to play itself out and to trying not to let politics get in the way of that process.

There'll be plenty of times to have these loud and long debates. This is not the time for that. Let's let the process play itself out. Let's pass Bill 18. Let's make the system a little bit better today than it was yesterday, continue to make it a little bit better tomorrow than it is today, and that's what we can do. That's how we're going to help address and solve this issue. As much as it may make for sexy politics to be very up in arms about this, I don't think it's helpful at this stage. I really, genuinely don't.

Thank you.

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

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

**Mr. McIver:** Well, thank you. I will disagree with the last member to speak. You know what? There's nothing sexy about kids dying in care. To hear any part of the debate described that way, frankly, is very disappointing.

The Member for Rimbey-Rocky Mountain House-Sundre has made a good point. You know what? Unfortunately, what he said is true. The minister and the Premier have stood up many times in this House and said that we were allowed on the committee, for example, to discuss the case of Serenity. That is, in fact, not true. [interjections]

Premier, if you disagree, stand up and disagree with me, but I've got the floor now. I'd love to hear your side, love to have you get to your feet, Premier. You're the highest-ranking person here. All of Alberta would love to hear your side of this, but the fact is that this committee has not been allowed to talk about Serenity. This committee has not been allowed to talk about the little girl that actually caused us to push the government to have this minister's panel. In fact, we pushed the government to have an all-party committee, which would have been better.

That's part of the reason why we've got so many amendments here, somewhere between 10 and 20, because the government chose to have a ministerial panel, which gave them the authority in this legislation to put many, many of the panel's recommendations into regulation in the Trust Me; We'll Get It Right Later section. Trust Me; We'll Get It Right Later is exactly the attitude that has gotten the past government in trouble, the attitude that's got this government in trouble, and the attitude that will get future governments in trouble until they get past that and they start discussing the most difficult issues publicly.

I'm sorry. I would say that there are good things in this bill, but there are also things that the minister will be allowed to and has given herself the authority, through this legislation, to sweep under the carpet. It's very much a shame. The children in care in

Alberta deserve better. They haven't gotten better, and that is truly sad.

To hear the Member for Calgary-Elbow stand up and really defend the half-hearted effort to be as transparent as possible by the government – I'm frankly disappointed. The member is, in my view, pandering to some group that I don't understand. It's surely not children in care that he's pandering to when he stands up in here. I'm very disappointed and sad because – you know what? – as much as there are good things in this legislation, enough good things to vote for it, as a friend of mine would say to the government: keep up the mediocre work.

**12:10**

The problem, Madam Chair, is that the government could have been great on this one. They could have been great, and they haven't reached that standard because they decided that that was too high a standard for them to meet.

**The Deputy Chair:** Are there any other members wishing to speak to amendment A12?

Seeing none, I will call the question on amendment A12 as proposed by the hon. Member for Rimbey-Rocky Mountain House-Sundre.

[Motion on amendment A12 lost]

**The Deputy Chair:** We will now be on the original bill, Bill 18. Are there any other speakers wishing to speak to the bill?

Seeing none, I will call the question.

[The remaining clauses of Bill 18 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

## Bill 17

### Fair and Family-friendly Workplaces Act (continued)

**The Deputy Chair:** We are now back on Bill 17. All right. On Bill 17 there currently are no amendments. Are there any comments, questions, or amendments to be offered in respect to the bill?

The hon. Member for Calgary-Hays.

**Mr. McIver:** Thank you, Madam Chair. I actually have an amendment to move, and with your permission I will put it forward and speak to it.

**The Deputy Chair:** Please go ahead, hon. member. This will now be referred to as A27.

**Mr. McIver:** Thank you, Madam Chair. The amendment reads as such: that Bill 17, the Fair and Family-friendly Workplaces Act, be amended in section 31 in the proposed section 50, (a) in subsection (1) by striking out "consecutive" wherever it occurs and (b) by adding the following after subsection (1):

- (1.1) An employee and employer may agree that the employee may take any period of parental leave entitled under subsection (1) consecutively or in non-consecutive periods of at least 1 week.

Madam Chair, there are a number of ways in which the workplace is changing, but one of the most pronounced ways is that employees are looking for more flexibility in balancing their home lives and

their professional lives. This amendment that I'm bringing forward today is in recognition of that desire. Parental leave is an important recognition of the adjustment that parents of a new child need to make. Making sure that new parents have the ability to take some time and adjust to their new situation is crucial for the healthy development of the child and for the health of the new parent. But it's not always possible or desirable for a new parent to take one long, uninterrupted leave. For example, maybe two weeks after the baby is born, the grandparents are there to babysit, and that allows the parent on leave to come back to work for a week and check up on things, which is why I believe this amendment is important. The ability to take parental leave in nonconsecutive chunks would allow someone on a parental leave to balance new responsibilities with both their partner and their employer.

The other part of this amendment that I believe is important to highlight is that nonconsecutive leave would be dependent upon reaching an agreement between the employee and the employer. Most businesses are very understanding about the need of a new parent to spend time with their child or partner, but one concern we hear constantly from the business community is the need for stability and certainty. I believe that by making this nonconsecutive leave contingent on an agreement between employee and employer, we are doing a good job of eliminating surprises. You can never do that perfectly, but it would eliminate some of the surprises.

Therefore, I believe the amendment strikes a good balance between the ability of new parents to spend time with their newborn child and the concerns of the business community. I would therefore encourage all members of this House to support this amendment, which I believe improves the bill.

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

The hon. Minister of Labour.

**Ms Gray:** Thank you very much, Madam Chair. Thank you to the member for thinking about ways that we can make important life events like having children easier for Albertans. The flexibility that is often needed, especially at such a challenging time in new parents' lives: I appreciate the thought behind this.

But I've had the opportunity to stand and talk about one of the core philosophies when we were drafting Bill 17, which was alignment with the federal employment insurance leaves and making sure that we're providing to Albertans job protection when they're accessing that employment insurance system. By introducing this amendment, I think that, obviously, it would not be aligned. It leads to an interesting scenario where someone would be potentially collecting EI and then also working at the same time but only for a short period of time and then going back. This is not to say that nonconsecutive parental leave isn't potentially a good discussion, but I think we would need to make sure that what we were doing was in alignment with the federal employment insurance system. So for that core reason I will not be supporting this amendment.

Thank you, Madam Chair.

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

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

Seeing none, I will call the question.

[Motion on amendment A27 lost]

**The Deputy Chair:** We are now back on the original bill. Any members wishing to speak? The hon. Member for Cardston-Taber-Warner.

**Mr. Hunter:** Thank you, Madam Chair. I rise to speak to Bill 17, and I would like to propose an amendment.

**The Deputy Chair:** Hon. member, your amendment will be referred to as A28. Please go ahead.

**Mr. Hunter:** Thank you, Madam Chair. I move that Bill 17, Fair and Family-friendly Workplaces Act, be amended as follows: section 138 is struck out, and section 141(b) is struck out.

Madam Chair, the ban on MERFs, or market enhancement recovery funds, found in section 138 in Bill 17: I propose that it get repealed. This amendment ensures that the ban on MERFs remains. MERFing is when unions use funds to unfairly help unionized contractors gain an advantage over non-unionized contractors when they bid for jobs.

If a business were to do this with a product, it's called dumping. Dumping causes trade disputes on a global scale. All we have to do is look at the softwood lumber case brought forward by the U.S. against Canada. The United States thinks that Canada is dumping wood into their market. We can't help being more efficient than the Americans with the softwood products, but we are. The Americans think our stumpage fees on Crown land are too low compared to their own private woodlot owners. We have won this case many, many, many times, and we'll win it again.

We have another case of tariffs being raised by Ottawa because they thought the Americans were dumping drywall into the Canadian market. Watch all those new homes get more expensive because of that tariff. But when the coal stops being burned and the fly ash is no longer produced, what is going to go into the cement and gypsum to make the drywall and the concrete?

Tariffs and barriers can have unintended consequences for fighting dumping. MERFing is the organized dumping of labour to get the contract. Now, it is beyond me why someone would want to bid on a job at a loss in order to keep another good Alberta company from getting the work only because that Alberta company that loses is not unionized, but I guess if their long game is to drive out the competition so that they can drive up their price in the future, then that's what they'll have to own. Now, some learned individuals insist that MERFing never worked as intended and that unions found alternative means to ensure that their unions got the job.

12:20

Nonetheless, we have rules of trade, and MERFing is a distortion of the economy, the marketplace, and has people playing by different rules. We need people to be playing by the same rules. This is why MERFing must remain banned. You know, it would be very similar to having a baseball game where you had an umpire that was not going to be a fair umpire. If the one team was looking to be able to play with a fair and open field and the umpire was – it didn't matter whether or not that team was able to play better than the other team. If the umpire wanted to rig the game, then that umpire would have the ability to do that. Obviously, if this was the case, people would call foul.

This is what's going on with this MERFing. We cannot allow international unions to come in with big pools of capital and MERFs to undercut the existing contractors just so they can decrease competition and drive up price. Even then, international unions might upset local, homegrown unions. It happened in Toronto when the international union came and shoved out the duly elected local union president at the Toronto Transit Commission. It went to court, and in short order the international union was told to move along. They had no jurisdiction, and the local president was re-established.



We have good labour laws. Let's allow this amendment to be adopted so we can keep it that way. Support the amendment. Support the ban on MERFs.

Thank you, Madam Chair.

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

Are there any other members wishing to speak to amendment A28? The hon. Minister of Labour.

**Ms Gray:** Thank you, Madam Chair. Alberta is the only jurisdiction with restrictions on market enhancement recovery funds. It harkens back to a past era that we have this ban at all. In fact, no MERFs have been formed since 2008, and it is time that we come into alignment with the rest of the country on this. So for these reasons, I will not be supporting this amendment.

Thank you, Madam Chair.

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

Are there any other members wishing to speak to amendment A28?

Seeing none, I will call the question.

[The voice vote indicated that the motion on amendment A28 lost]

[Several members rose calling for a division. The division bell was rung at 12:23 a.m.]

[One minute having elapsed, the committee divided]

[Ms Sweet in the chair]

For the motion:

|              |           |            |
|--------------|-----------|------------|
| Aheer        | Gotfried  | Pitt       |
| Anderson, W. | Hunter    | Schneider  |
| Clark        | Jean      | Starke     |
| Cooper       | Loewen    | Strankman  |
| Drysdale     | MacIntyre | Taylor     |
| Fildebrandt  | McIver    | van Dijken |
| Fraser       | Nixon     | Yao        |
| Gill         |           |            |

Against the motion:

|               |              |           |
|---------------|--------------|-----------|
| Anderson, S.  | Hoffman      | Nielsen   |
| Babcock       | Jansen       | Notley    |
| Bilous        | Kazim        | Piquette  |
| Carlier       | Kleinstauber | Renaud    |
| Carson        | Larivee      | Rosendahl |
| Ceci          | Littlewood   | Sabir     |
| Coolahan      | Loyola       | Schmidt   |
| Cortes-Vargas | Malkinson    | Schreiner |
| Dach          | Mason        | Shepherd  |
| Dang          | McKittrick   | Sigurdson |
| Drever        | McPherson    | Sucha     |
| Feehan        | Miller       | Turner    |
| Gray          | Miranda      | Woollard  |

|         |          |              |
|---------|----------|--------------|
| Totals: | For – 22 | Against – 39 |
|---------|----------|--------------|

[Motion on amendment A28 lost]

**The Deputy Chair:** We are now back on the original bill. Are there any other amendments? The hon. Member for Airdrie.

**Mrs. Pitt:** Thank you, Madam Chair. I would like to read an article here, found on unionfacts.com, and it's called Card Check Intimidation, Coercion, and Confusion.

**An Hon. Member:** Here we go again.

**Mrs. Pitt:** This is important. There are some good words that need to be heard in this room. I will proceed.

The claim of moral superiority is a favourite technique of union organizers when discussing coercion.

American Rights at Work . . .

**The Deputy Chair:** Hon. members, I know it's late, and we're trying to stay awake, but I'm having an extremely hard time hearing everybody, so if we could please keep the volume down in the House and listen. Thank you.

Hon. member, please continue.

**Mrs. Pitt:** Thank you, Madam Chair.

. . . a union-funded organization, makes this case: "While we polled workers on union and employer coercion, it's important to note that they aren't equivalent. Pro-union workers and union organizers attempt to make their case persuasively. But when the person who signs your paycheck calls you into his office and tells you he's against the union, that's an entirely different kind of influence."

The evidence tells a different story. A secret ballot prevents most ills, since no one knows how an employee will vote or voted, irrespective of signing a card. Conversely, a serious flaw in the public card check process is that it is inherently rife with the potential for intimidation by union officials.

In 1996, an employer presented evidence to the NLRB that "on the day before the election, a bargaining unit employee approached another employee and solicited her to sign a union authorization card. The card solicitor allegedly stated that the employee had better sign a card because if she did not, the Union would come and get her children and it would also slash her car tires."

"The modern record . . ." [interjections] Madam Chair, it's disheartening to hear that the government thinks it's funny that the union members – and the Member for Calgary-North West is laughing, thinks it's funny – would come and get her children and also slash her car tires. This threat being made by the union worker is in an article I'm reading.

**12:30**

I will continue.

The modern record is full of cases of intimidation. Former United Steelworkers organizer Richard Torres wrote in a February 2007 letter to the House Education and Labour Committee that he quit his job when a union official "asked me to threaten migrant workers by telling them they would be reported to federal immigration officials if they refused to sign check-off cards."

There's actually a similar tactic used by those who want to enter persons into human trafficking, labour trafficking.

An affidavit given to the NLRB described a New Jersey food service staff member's ordeal, where a union organizer visited her home and told her "I wouldn't have a job in Sept. if I didn't sign the card and that the Union would make sure that I was fired."

Mike Ivey, a Freightliner employee, gained attention when he fought organizing attempts by the United Auto Workers. According to a March 2007 story, Ivey said, "Some employees have had five or more harassing visits from these (United Auto Worker) organizers . . . The only way, it seems, to stop the badgering and pressure is to sign the card."

Peer pressure is a significant concern among employees who happen to be in the minority opinion, whether they support a union or not. Whereas a secret ballot protects these minorities, paid union staff and peers who support the union can pressure employees if their decision is public. A local of the United Food and Commercial Workers, for example, went so far as to institute

a bounty system that offered a three-tier “incentive plan” to pay employees per signature they collected from their colleagues.

Coercion is not the only problem inherent in card check campaigns. Equally troubling are stories of union organizers gaining signatures from employees who didn’t understand the documents they were signing.

In the famous *Gissel Packing* case in 1969, the Supreme Court stated:

We would be closing our eyes to obvious difficulties, of course, if we did not recognize that there have been [card solicitation] abuses, primarily arising out of misrepresentations by union organizers as to whether the effect of signing a card was to designate the union to represent the employee for collective bargaining purposes or merely to authorize it to seek an election to determine that issue.

A host of recent stories verify this time-tested theory.

In April 2007 the Service Employees International Union in Oregon was forced to reach a settlement with the NLRB in which the union agreed to discontinue card check organizing for six months. Their offense? SEIU Local 49 officials allegedly tricked employees into signing “information flyers” that they later counted as votes favouring unionization.

Interesting. Sounds familiar.

Perhaps not surprisingly, an NLRB regional official noted that the board had earlier reached a similar settlement with the same local.

The article, which I will table and I urge you to read, goes on in similar fashion.

There are many challenges here, to which I would like to move an amendment on behalf of my hon. colleague from Bonnyville-Cold Lake. I will pass this around, and I will read it. Mr. Cyr moves that Bill 17, Fair and Family-friendly Workplaces Act, be amended by striking out section 112 and substituting the following: section 33 is amended (a) by renumbering it as 33(1); (b) in subsection 1(a)(ii) by adding “, without undue influence,” after “certification was made”; and (c) by adding the following after subsection (1):

(2) For the purposes of subsection (1), undue influence includes any practice intended to induce, mislead or compel a person to become a member of a trade union or to impede, prevent or otherwise interfere with the free exercise of that person’s decision to become a member of a trade union.

Thank you. I urge members to vote for this amendment.

**The Deputy Chair:** Thank you, hon. member. Your amendment is referred to as A29.

Are there any members wishing to speak to the amendment?

[Motion on amendment A29 lost]

**The Deputy Chair:** We are now back on the original bill. The hon. Member for Calgary-Hays.

**Mr. McIver:** Well, thank you, Madam Chair. I have an amendment here to move, if you will allow it, to Bill 17. It’s a good one. You’ll like it.

**The Deputy Chair:** Hon. member, your amendment will be A30. Please go ahead.

**Mr. McIver:** Thank you. I move that Bill 17, the Fair and Family-friendly Workplaces Act, be amended by striking out section 114 and substituting the following: 114 Section 34.1 is repealed and the following is substituted:

Certification representation vote

34.1 A person is not eligible to vote in a representation vote referred to in section 34(2)(d) in respect of the certification of a trade union as a bargaining agent unless all of the following apply:

- (a) the person was an employee of that employer for at least the 30-day period immediately preceding the date of the application for certification;
- (b) the person has not quit or abandoned the person’s employment between the date of the application for certification and the date of the vote;
- (c) the person meets any requirements with respect to eligibility to vote established in rules made by the Board pursuant to section 15(4)(a).

Madam Chair, this government made it known they would bring forward labour legislation, and I think everybody on this side of the House knew that their pals would receive a few concessions. Bringing back salting is one of the most obvious examples of this exact thing happening. For those who are not aware, salting is a tactic which involves sending someone to work for a particular company with the specific intent of organizing a union once they are hired but not intending to stay. The person has no intention of staying in the company long term and is simply there to advocate for the interests of a particular union.

Why should that person be allowed to have a say in whether or not that particular company decides to unionize? The employees of the company, of course, should be able to make that decision, the employees that have worked there and intend to work there. Someone that shows up just to organize and then leave probably shouldn’t have the same authority over this particular long-term decision as those people that want to stick around and work and support and make that company successful through their labour. If they want to vote to join a union, that’s their right. I support that right. It should be a secret ballot, but I support that right. But somebody there just clearly for the purpose to organize and leave is not part of the company and truly is not able to represent the will of the employees that are going to stick around. The only people that want these are those that want to organize.

Reimplementing salting by this NDP government does nothing to improve workers’ safety in Alberta. It does nothing to modernize workplace laws. It, in fact, takes them backwards. For a minister that wants to modernize the law, this takes it backwards, and it does nothing to help businesses stay competitive and keep paying employees. These are the stated goals of Bill 17, to help businesses stay competitive, and salting should not be part of this legislation. It doesn’t belong. This type of change is exactly what the government is trying to hide behind a number of positive changes being made to employment standards.

12:40

Allowing this process of salting to once again become the practice in Alberta is simply an act by this government to pay their friends. The only intent of salting is to make it easier and less fair to unionize in Alberta, plain and simple. Forming a union within a particular company changes the company, and employers that want to make that decision in the way that they bargain with their employer have the right to do so. Allowing people to roll in and have the same authority to make that decision as the employees that have been there working, the employees that intend to stay there working, is just plain wrong.

By voting for this amendment, you will ensure that the monumental decision to form a union or to not form a union is made by the actual employees of the company that intend to stick around, support the company, hopefully make a good living, and be part of that which they create, not by somebody that wants to create it and leave and not be any part of it. I would encourage all members of this Assembly to support this amendment. It truly is in the spirit of a fair and democratic process to unionize or not unionize businesses. This amendment would prevent people from coming in to make a change without showing responsibility for the change

before they make it and while not sticking around to be responsible for the change they want to make after it's made. I hope all members of this House will support this amendment.

Thank you, Madam Chair.

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

Are there any other members wishing to speak to amendment A30? The hon. Minister of Labour.

**Ms Gray:** Thank you very much, Madam Chair. Alberta is the only jurisdiction that currently restricts this practice. Removing this ...

**An Hon. Member:** Salting.

**Ms Gray:** Salting.

... restriction simply brings us in alignment with the rest of the country. Thank you.

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

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

Seeing none, I will call the question.

[The voice vote indicated that the motion on amendment A30 lost]

[Several members rose calling for a division. The division bell was rung at 12:42 a.m.]

[One minute having elapsed, the committee divided]

[Ms Sweet in the chair]

For the motion:

|              |          |            |
|--------------|----------|------------|
| Aheer        | Gill     | Schneider  |
| Anderson, W. | Gotfried | Starke     |
| Clark        | Hunter   | Strankman  |
| Cooper       | Jean     | Taylor     |
| Drysdale     | Loewen   | van Dijken |
| Fildebrandt  | McIver   | Yao        |
| Fraser       | Nixon    |            |

Against the motion:

|               |            |           |
|---------------|------------|-----------|
| Anderson, S.  | Hoffman    | Notley    |
| Babcock       | Jansen     | Piquette  |
| Bilous        | Kazim      | Renaud    |
| Carlier       | Larivee    | Rosendahl |
| Ceci          | Littlewood | Sabir     |
| Coolahan      | Loyola     | Schmidt   |
| Cortes-Vargas | Malkinson  | Schreiner |
| Dach          | Mason      | Shepherd  |
| Dang          | McKittrick | Sigurdson |
| Drever        | McPherson  | Sucha     |
| Feehan        | Miller     | Turner    |
| Gray          | Miranda    | Woollard  |
| Hinkley       | Nielsen    |           |

|         |          |              |
|---------|----------|--------------|
| Totals: | For – 20 | Against – 38 |
|---------|----------|--------------|

[Motion on amendment A30 lost]

**The Deputy Chair:** Are there any other members wishing to speak to the bill? The hon. Minister of Labour.

**Ms Gray:** Thank you, Madam Chair. I'd like to introduce an amendment, and it is already at your table.

**The Deputy Chair:** Thank you, Minister.

Just to notify everyone in the House that part C of this amendment has already been addressed and agreed to earlier this

evening on the subamendment to amendment A25. The official copy of the amendment will be corrected here at the table, but the rest of the amendment can be debated.

**Ms Gray:** Thank you, Madam Chair. With your permission may I read each section and just briefly describe it?

**The Deputy Chair:** Yes.

**Ms Gray:** These amendments are minor refinements that do not substantially change the proposals put forward in Bill 17. They're meant to add clarity and context to some sections of the bill based on review and feedback that we've received. When dealing with important provisions like overtime and essential services, we do want to be absolutely clear.

Part A. Section 62 is amended in the proposed section 95(2) by adding the following after clause (c):

(c.1) a notification of a cancellation referred to in section 23.1(7).

This relates to the new provisions regarding hours of work averaging agreements. The amendment clarifies that an appeal may be filed within 21 days if the employment standards director makes a decision to cancel an hours of work averaging agreement. This ensures affected parties have the proper path to appeal a decision in this area if they so choose, essentially just wanting to make sure that access to an appeal is available.

Part B. Section 92 is amended in the proposed section 137(1) by striking out "If" and substituting "Subject to the regulations, if." This as well as consequential amendments which were covered in part C, which has already been addressed, ensure that we have the flexibility around requirements for group termination notices. It's important that the government receives group termination notices within an appropriate time frame. They also deal with areas where group termination notices maybe should not apply. For example, there are often large construction projects where subcontractors are hired for a specific task for a specific amount of time. The expectation is generally agreed that the subcontractors' work concludes when the task for which they were hired is finished; therefore, no termination notice is required. This amendment will give us the ability to have those regulations granting those amendments.

**12:50**

Part D. Section 103 is amended by striking out clause (b)(iii) and substituting the following: (iii) in clause (l) (a) by adding "and includes a dependent contractor" after "wages" and (b) by striking out "or" at the end of subclause (ii), by adding "or" at the end of subclause (iii), and by adding the following after subclause (iii).

(iv) a person employed on a farm or ranch who is a family member of the farm or ranch employer as determined under subsections (2) and (3).

Part D clarifies the definition of dependent contractors as it relates to the Labour Relations Code. As you've heard, we want to protect dependent contractors in this legislation and ensure that they have same rights as an employee. This amendment also ensures that we are not capturing family members on farms and ranches in our Employment Standards Code.

Part E. Section 129(a) is amended by striking out the proposed section 96(1)(j) and substituting the following:

(j) employers whose primary operations are the provision of medical laboratory diagnostic services under a contract with a regional health authority, other than employers that are professional corporations within the meaning of the Health Professions Act, all the employees of those employers.

Part E just ensures that physicians are excluded from the Labour Relations Code provisions as they are now. Physicians are currently

afforded protections through their professional body, and we're not looking to change that in Bill 17. That is why we refer to professional corporations within the meaning of the Health Professions Act.

Finally, Part F. Section 133 is struck out. Part F would alter a section of the bill that repealed appointment provisions for the Labour Relations Board dealing with bias. After further discussions with the board, we're satisfied that this section should be kept and not repealed.

These amendments are going to ensure understanding and proper interpretation of what we're trying to accomplish, and that is making sure that Albertans have fair and family-friendly workplaces. I hope all members will support these straightforward amendments.

Thank you.

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

The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Cooper:** Well, thank you, I think, Madam Chair. I'd like to seek some clarification from you if I might with respect to the amendment if presented in this form, with part C still included in the amendment, actually – and I appreciate your comments prior where you said that the rest of the amendment could be debated. But given that part C seems to have already been addressed and may or may not make this amendment in order or out of order as it's presented to us at – oh, I don't know – five to 1, which makes six relatively significant, some more significant than others, amendments to the legislation, perhaps you can provide some additional comment. Because I have an amendment that includes part C, which, if I understood your previous comments, is not in order. Is the amendment, in fact, in order or not?

**The Deputy Chair:** Thank you for asking the question, hon. member. The balance of the amendment is in order.

**Mr. Cooper:** Okay. I appreciate the fact that the balance of the amendment is in order. Can you provide clarification? Is part C out of order?

**The Deputy Chair:** Part C is not part of the amendment. It was already provided to Parliamentary Counsel for adjustment.

**Mr. Cooper:** Okay. I'm a little confused, then. If part C is not part of the amendment except that I'm holding a piece of paper that appears to be signed by Parliamentary Counsel that includes part C, I'm a little unclear as to exactly how this works.

**The Deputy Chair:** The official copy has been reflected to remove part C, that was already debated earlier, so I announced that prior to the debate. There is precedent in this House where we have been able to support members with their amendments and change them as requested.

The hon. Member for Barrhead-Morinville-Westlock.

**Mr. van Dijken:** Thank you, Madam Chair, and thank you for the opportunity to speak to government amendments to Bill 17. We have before us a document that outlines a number of changes that the government is discovering after the fact need to be cleaned up.

I guess I would like to bring our attention to the fact that we are faced with an omnibus bill right at the end of session that the government has decided to try and rush through with limited consultation and put before us, where we have had, I believe, 30 amendments come forward with regard to shortfalls and with regard to other issues that have been identified within the bill that we feel

could have been addressed in a much more fulsome way through enhanced consultation over the summer.

We put a reasoned amendment forward for it to not be read a second time based on the lack of consultation that occurred, a period of 36 days, where only 27 working days were included in the actual consultation period. Then we see before us less than a month after that consultation is completed a document that's some 120 pages long, 124 pages of adjustments to the Employment Standards Code and the Labour Relations Code.

You know, as opposition members we play a critical role in being able to try and help this government identify shortfalls that stakeholders and Albertans bring to our attention with legislation that is brought forward. This is an important role that we have to be very cognizant of, and it's to be there as a sober second thought for the government, to ensure that they are looking at all different aspects of this bill.

Now we've got a government amendment that comes before us, you know, and we see in this amendment that many of these things could have been addressed in a very fulsome manner through work by committee or by consultation over the summer to come back with a bill that has been fine-tuned. Instead, when the bill was first introduced to us, we got a document that was very evident that it was at the last minute stapled together and thrown on our desks. I would suggest that this is a sign that the minister and the government have put forward a bill that was not complete in the first place.

I would like to highlight part F of the amendment, where all of a sudden one portion of this bill, section 133, is struck out. Now, the minister and the government saw fit to present section 133, where they propose that section 139 is repealed, so I guess section 139 stays. Not sure why or the reasoning behind that, but I would suggest that fulsome consultation and full discussion and understanding of why there was possibly a need to remove section 139 – and now we're finding out that, "Oh, no. That's maybe not what we want to do, so we'll leave section 139 in." Section 139:

Except in the case of a chair, no person shall be disqualified from acting as a member of an arbitration board or other body unless that member is directly affected by the difference or has been involved in an attempt to negotiate or settle the difference.

Now, there is maybe some explanation as to why we are returning to this, and possibly it's where we are getting into situations where you're going to continually be needing new chairs. I'm not exactly sure what that's regarding, but it would be good to have more clarification on that.

1:00

There are many times when we can have good legislation brought forward, and that's usually when it's done in proper time and with proper consultation. You know, the fact that we have these before us now is identifying that proper consultation did not take place with regard to Bill 17, and we could have been able to alleviate this difficulty if the time would have been taken to do it right in the first place.

Thank you, Madam Chair.

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

Are there any other members wishing to speak to amendment A31? The hon. Member for Calgary-Elbow.

**Mr. Clark:** Thank you very much, Madam Chair. At 12:48 a.m. the government introduces two pages of amendments to a 124-page bill and expects those of us in the opposition to have researched and analyzed all of the implications of what could be far-reaching changes. We don't know; we have to take the minister at her word that these are minor refinements. How in the world do we know

that, when they've added words like "subject to the regulations"? Ah, we're just subject to the regulations. What regulations? Regulations are as wide ranging as it could possibly get, including changing the dependent contractor in certain aspects of the bill, with absolutely no idea what the implications of those are. That is remarkably disrespectful to the House.

I would challenge the hon. Premier on what she would have done, sitting in this spot in the Assembly, if the government of the day, the PC government, did the same thing to her. I can assure you that she wouldn't sit back quietly and say: well, I'm sure it's probably nothing; I'm sure it's just fine. This is not, I think, acceptable practice. It's not what Albertans would expect out of their government, but what it shows is the slipshod manner in which this bill was put together, slapped together at the last minute.

It is a massive change to incredibly complex legislation. Look at the size of this thing. Look at the size of this bill. You can't possibly expect anyone on the opposition side, let alone those of us standing here with precisely one researcher in the backroom, to have any concept of what this actually means.

So if anyone was thinking, prior to my comments on Bill 17, that I'm somehow in the pocket of government, hopefully after this you realize that there's not a chance that I am.

When you bring in these kinds of changes here at the last minute, should I just take you at your word? I mean, when you talk about regulation changes, the breadth of that is monumental. Section D: do I think it's a good idea for "a person employed on a farm or ranch who is a family member of the farm or ranch employer" to be excluded as a definition-dependent contractor? Probably. I don't know. I imagine I do, just on the surface of it. But I've just seen this. I've seen this document here for a few scant moments, and here we are at 1 o'clock in the morning trying to blast through a bill and get out of the House. Perhaps the government should have brought the amendment done exactly – here the Minister of Municipal Affairs has some things to say.

Perhaps this bill should have been treated like the Municipal Government Act was treated, where you introduce the bill, you spend some thoughtful time throughout the summer travelling the province and listening to people. That's what you do when you actually want people's input, when you actually want to hear what Albertans have to say. Then you come back in the fall, and you introduce a series of thoughtful amendments based on the feedback you received from the good people of the province of Alberta. Given the implications of Bill 17 on the economy of this province, on the people of this province I would expect no less from this government.

But what they do at 12:48 a.m. is drop two pages of amendments on our desks, confusing whether or not they're actually in order. I can only assume – given the expertise of our Parliamentary Counsel I will take their word that, in fact, these are in order. I'll take the chair at her word as well that they are in order.

But how in the world can we evaluate the implications of what these changes mean? The whole idea of these sorts of amendments, the whole reason why we have this Assembly is to thoughtfully debate amendments and changes to bills and hopefully make them better. But how in the world we can possibly do that when they're dropped in the wee hours of the morning is absolutely beyond me. It's shameful that the government would take this tack.

You know, I hope that all members recognize that I do strive for balance and reasonability in most things that I do in this House. This is unreasonable. It is absolutely unreasonable that the government has done this at the last moment. We'll try to get through it and try to figure out what the implications of it are, but it's one of the many reasons you'll find that I'm not going to be supporting this bill at third reading.

Thank you, Madam Chair.

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

The hon. Member for Calgary-Hays.

**Mr. McIver:** Well, thank you, Madam Chair. What's before us really raises a whole raft of questions. Now, I understand that the little letters PP at the top corner are the same as a parliamentary stamp. I accept that. But the fact is that somehow what's good for the goose doesn't seem to be good for the gander here. I know that when opposition puts together an amendment, if something has to be changed, if Parliamentary Counsel wants us to change it, we have to go back, type it all again, and then get it stamped the way Parliamentary Counsel wants it. We don't get to scratch out this and assume it's scratched out there.

**An Hon. Member:** Welcome to the opposition.

**Mr. McIver:** Yes. Welcome to the opposition. Well said.

Really, I think the more pertinent point for those in TV land that are still up, both of those Albertans that can't sleep and found themselves by accident on this channel or on this Internet page, will now realize, if they've been watching, that the question that we've asked the minister for weeks, "Have you consulted with Albertans?" – and the minister said yes – was actually proven not to be true. The minister said in her opening comments and since the bill has been in the public for the last week – these are changes that members of the public gave to the minister because they wanted change when the public finally got to see the bill a week ago, not six or eight weeks ago like the minister said. A week ago. The minister claiming that this was out for weeks, that everybody saw it is absolutely not true, and she's proven it. She's admitted it. She's made it obvious right here. It's absolutely not true. There's no way it can be true, and she's essentially said it.

When the public finally could see it, they come up with a bunch of changes. She would have the House believe from her questions in question period week after week from all the opposition that everybody's had weeks to see this.

Now, I was pretty suspicious of this all the way along, but I can tell you what: I was more suspicious when we got to the embargoed preview of the bill a couple of weeks ago, when Andy Sims, who is a fantastic person, one of the greatest labour experts in Alberta if not the greatest one, which the government trotted out as being proud of having Mr. Sims involved – and you know what? I would be proud to have Mr. Sims involved, too. When I was labour minister, he used to work with me, and he's a fine man, one of the best people in Alberta on labour legislation. But you know what he did when we were getting our advancer on the bill, Madam Chair? He distanced himself from this legislation in a serious way. He made it very clear that he never wrote this legislation. He made it very clear that in every section he laid out to the government what all the choices were in a menu form, and the government picked from the menu. Mr. Sims, the man that I trust, the man the government was bragging about having in their corner, distanced himself from this piece of legislation in a very big way.

We can see why now: because the government didn't share it with the public, because the government didn't take the best advice that they had. They got the best advice in Alberta, and all they did was have him lay out a menu which they picked from, and now we don't know which sections Mr. Sims would agree with and which ones he didn't. But I can tell you what: Mr. Sims said to us that he is taking no responsibility for this other than laying out the menu and the government picked. So we don't know whether the government picked the good, the bad, or the ugly in each section for the choices. I'm sure there are a couple of cases where the government might have picked the good, but it's pretty obvious

now that they picked some bad and some ugly also. That's pretty obvious from the legislation.

Madam Chair, what we have here is a government that couldn't organize a two-car parade. They are the gang that cannot shoot straight under any circumstances, and now they're caught red-handed with their pants down, talking in the corner, trying to sort out the deep, deep hole they've dug for themselves in front of the TV cameras. No one's watching tonight, but it's in *Hansard*, and you'll be able to see the replay of it to see what a mess they made of this legislation, that's going to affect every worker in Alberta. This gang couldn't get anything right if their lives depended upon it. The sad thing is that Albertans' lives depend upon it, and this government is screwing it up big time.

1:10

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

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

I will call the question on amendment A31, as proposed by the Minister of Labour.

[Motion on amendment A31 carried]

**The Deputy Chair:** Are there any other members wishing to speak to the bill? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Cooper:** Yeah. Thank you, Madam Chair. I just want to provide the government one more opportunity to move an amendment at the last minute before this bill moves out of committee.

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

The hon. Member for Calgary-Hays.

**Mr. McIver:** Thank you. Well, Madam Chair, the government pushed this thing forward after basically admitting that everything that they said was true wasn't, the fact that they had consulted with Albertans. They did that.

You know what? There was another clue, too, when the government brought a poor woman here whose son had cancer and she'd taken time off work and lost her job. That's not fair, and fixing that is a good thing in this legislation. But the fact that the government hid behind this poor woman all this other stuff that's in this bill that's bad is shameful. It's shameful to hide behind this poor person, that actually needs your support – to hide a bunch of negative legislation is despicable. The whole world knows it now. It's just a shame that they have done that.

You know what? [interjections] I love that the Health minister – I'd like to see her get on her feet and take the microphone if she has something to say. You know, you've got lots to say, but you don't have the microphone. I'd love to yield the floor and let you speak because your government has made a mess, Minister . . .

**The Deputy Chair:** Hon. members, I'm speaking. Member for Calgary-Hays, please. Through the chair when it's your turn to speak, both sides. Enough, please.

If we could please move forward on the amendments and/or on the debate in question. Does anybody have anything they would like to speak on in regard to the bill?

Seeing none, I will call the question. All members, as you will remember, there was a request to be able to divide the bill into two separate votes. I will call the question on part 1, and then I will call the question on part 2.

[The remaining clauses of part 1 of Bill 17 agreed to]

[The voice vote indicated that the remaining clauses of part 2 of Bill 17 were agreed to]

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

[One minute having elapsed, the committee divided]

[Ms Sweet in the chair]

For the motion:

|               |              |           |
|---------------|--------------|-----------|
| Anderson, S.  | Hoffman      | Nielsen   |
| Babcock       | Jansen       | Notley    |
| Bilous        | Kazim        | Piquette  |
| Carlier       | Kleinstauber | Renaud    |
| Ceci          | Larivee      | Rosendahl |
| Coolahan      | Littlewood   | Sabir     |
| Cortes-Vargas | Loyola       | Schmidt   |
| Dach          | Malkinson    | Schreiner |
| Dang          | Mason        | Shepherd  |
| Drever        | McKittrick   | Sigurdson |
| Feehan        | McPherson    | Sucha     |
| Gray          | Miller       | Turner    |
| Hinkley       | Miranda      | Woollard  |

Against the motion:

|              |           |            |
|--------------|-----------|------------|
| Aheer        | Gotfried  | Pitt       |
| Anderson, W. | Hunter    | Schneider  |
| Clark        | Jean      | Starke     |
| Cooper       | Loewen    | Strankman  |
| Drysdale     | MacIntyre | Taylor     |
| Fildebrandt  | McIver    | van Dijken |
| Fraser       | Nixon     | Yao        |
| Gill         |           |            |

|         |          |              |
|---------|----------|--------------|
| Totals: | For – 39 | Against – 22 |
|---------|----------|--------------|

[The remaining clauses of part 2 of Bill 17 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

The Government House Leader.

**Mr. Mason:** Yes. I move that the committee rise and report.

[Motion carried]

[Ms Sweet in the chair]

1:20

**The Acting Speaker:** The hon. Member for West Yellowhead.

**Mr. Rosendahl:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills with some amendments: Bill 17, Bill 18. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

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

Does the Assembly concur in the report?

**Hon. Members:** Agreed.

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

## Government Bills and Orders

### Third Reading

#### Bill 18

#### Child Protection and Accountability Act

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

**Mr. Mason:** Yes. I would request the unanimous consent of the House for one-minute bells for the rest of the evening.

[Unanimous consent denied]

**The Acting Speaker:** The hon. Minister of Children's Services.

**Ms Larivee:** Thank you, Madam Speaker. It is my pleasure to rise today to move third reading of Bill 18, the Child Protection and Accountability Act.

This legislation would improve the way that child death reviews are conducted in Alberta, make child protection more transparent and accountable, and help build a stronger, better child intervention system. When a child receiving services dies, Albertans expect our system to take a hard look at what may have gone wrong, implement changes where needed, and prevent similar deaths from happening in the future.

This legislation is about Serenity, but it is also about children across this province who receive services from the province. We owe those children and their families a stronger, better system. We owe them a system that responds quickly to tragedies when they happen and learns from what went wrong to ensure that we don't make the same mistake twice.

We all came together in this Legislature, realizing that we needed to move forward on this quickly. I want to thank the all-party panel for their work and thank the opposition for working with me to strengthen this bill in the House today. We're not finished. There is more to be done on critical issues in phase 2, issues like historical trauma, poverty, and resourcing of the system. But this is a start that I'm proud to make, a step in the right direction, one that I hope my colleagues across the aisle can support.

It makes the Child and Youth Advocate the single authority for reviewing these deaths and ensures that government responds to those recommendations and that Albertans can hold us to those changes. It ensures that agencies that have information about a case are required to share that information with the advocate to help inform his review. All of these issues were highlighted in the tragic case of Serenity last year, and I'm proud of the steps this bill takes to address the issues we saw in that heartbreaking case.

I'm committed to making the change that needs to happen going forward, and I look forward to continuing to work to make things better for children in our province. Thank you, Madam Speaker.

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

Are there any other members wishing to speak to third reading?  
The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Thank you, Madam Speaker. I rise today on third reading to say that the opposition will support this bill, with the caveat, though, that this bill is not the end but the start.

It was very disappointing to watch the minister rise just now and again present that this bill in any way deals with the facts around Serenity's case or that her panel deals with the facts around Serenity's case when, in fact, those are just not the facts of the situation, Madam Speaker. It's disappointing that the minister continues to do that and that the Premier continues to misrepresent the facts of this panel to the people of Alberta.

Specifically, this bill that we are talking about in regard to third reading does not go far enough, nor does it have enough teeth to deal with the serious issues that we've been talking about. I have clearly stated my main concerns with this bill. I am not the only one who has stated concerns with this bill. External experts that the government brought into the situation have stated their concerns with the bill. The Child and Youth Advocate, who will now be in charge of the issues associated with this bill, has stated serious concerns with the bill. The media, including Paula Simons, whose great work brought forward the issue of Serenity to the public, has stated concerns with the bill, going so far as to call it a betrayal of the public trust.

For the minister to rise in this House with that kind of a review from people who have worked extremely hard on this file going so far as to say that the legislation she has brought forward is a betrayal of public trust, does not acknowledge the serious holes that this minister has left behind – for her to rise in this House and try to take a victory lap, particularly around the issue of Serenity, an issue she has not dealt with at all with this bill, is absolutely shameful. Not one little piece of that issue has been dealt with in this bill, and to attempt to take a victory lap on that is shameful, Madam Speaker.

That being said, I do want to thank the government and the minister for working with us on some of our amendments. They did not work with us on several important amendments, including protection of cultural issues inside the death review process, something that was very important to many people that presented to the panel and to panel members. It is extremely disappointing for myself and, I know, for many people to see the minister and this government go out of their way to prevent the opposition from doing what people wanted in regard to cultural issues, to protect people's culture when dealing with a horrendous situation, the death of a child in the care of the government. I implore members of this House, Madam Speaker, to not pat themselves on the back, as we just watched this minister do, and to not think for a minute that this issue has been dealt with.

You know, Madam Speaker, I keep a picture of my 10-year-old daughter on all my desks: in my constituency, in the Chamber, and in Edmonton. When I look at her, I feel very grateful that she's been able to grow up in a place where she's safe and with a mom and dad who love her. I love her very much.

Then I think about poor little Serenity, who was raped, murdered, starved to death. People reported concerns with what was happening with Serenity. Nothing happened. Nobody came to help her, and in the end she suffered some extreme consequences. As a result of that, the public, the opposition, and many people raised concerns. In the end, we had to push the government to do the right thing, and we got a panel. Since then we've watched this minister right there stand in this Assembly over and over and claim that the panel is dealing with the Serenity issue when she knows without a doubt that that is not true. It's shameful that that continues to happen. It's totally unacceptable.

In addition to that, the fact that the advocate cannot publish the real names of children is one issue that definitely needs to be discussed again. The issue around the publication ban has been blocked by this minister at the panel and by her NDP colleagues on the panel. In fact, they went so far, Madam Speaker, as you know because you were in the room, to attempt to make the panel vote and deal with that issue with 45 minutes' warning and said that it had to be done. The only reason that we were able to stop that is because the external experts that the minister put on the panel sided with the opposition against the government's attempt to whitewash that issue. That's got to be dealt with.

One of the recommendations that was deferred is that the department's internal investigations must be completed within one

year. What we found when we went through this process, and you were on the panel, Madam Speaker, so you know, is that zero – zero – internal investigations have been done, including for Serenity. Think about that. Despite this government repeatedly standing up and trying to assure Albertans that they're doing something, they have completed zero investigations.

[Mr. Sucha in the chair]

The panel did put in a recommendation to make sure that internal investigations would be complete. This government has deferred that. Under this Premier this NDP government and this minister have deferred that and, again, went out of their way to prevent accountability and transparency when it comes to children that have been killed while in the care of the government. To date not one internal review has been completed. That is outrageous, and it's completely unacceptable.

Furthermore, the government has acknowledged that many of the panel's recommendations are not changes that happen through legislation. For example, the panel highlighted a need for the ministry to make sure that it has articulated a mechanism to share recommendations with front-line service delivery staff. The government says that Children's Services is addressing that through policy and practice changes. The opposition wants to be told what these changes are so we know that indeed these recommendations have been addressed.

1:30

The child intervention panel, Mr. Speaker, is doing some good work. The panel finishes its meetings in July. Similar panels and round-tables have come and gone, and despite it being the desire of the panel, we still do not have a legislative committee with a mandate focused on fixing the cracks in our child intervention system. This minister with her bill and this government disregarded the panel's recommendations, disregarded the Auditor General's recommendations, continued with their status quo of hiding things from the people of Alberta, of hiding things when it comes to children that have been killed in their care, and of not taking proper or adequate steps to make sure it doesn't happen again, a complete and utter whitewash. It is not a PAC-like committee. It is not what the Auditor General recommended. Let us be very clear on that.

The opposition will do what it can to see improvements in the system and hold the government departments accountable, but the actual government is in a much better position to do this, and if it had listened to the recommendations from the panel, it would have been able to do that.

Mr. Speaker, in closing, this legislation came as a result of Serenity. It came as a result of a young girl that was killed in the care of the government. It came as a result of a young girl, where the abuse to that girl, who lost her life, was reported, and nobody came to help that little girl. When that came to light, this government, who was in power when it came to light, did nothing to hold the people accountable for it. In fact, they messed up, and they didn't even get the proper documentation to the RCMP to make sure that the criminal investigation could happen properly. It took the work of this opposition, and it took the work of the media to make them do the right thing and call a panel, and it will continue to take the work of the opposition and the media to make them actually finally do the right thing with this panel instead of standing up and saying that they're doing the right thing when they're not.

We will continue to hold them to account. Mr. Speaker, I will continue to rise in this House. I will continue to rise in this House and speak about this very important issue on behalf of my daughter, on behalf of the children in care in Alberta, on behalf of Albertans. But, most importantly, I will continue to rise in the House and bring

it up on behalf of Serenity, who cannot speak for herself, on behalf of Serenity's mom, on behalf of Serenity's family, who cannot speak for themselves.

I will continue to stand up through you, Mr. Speaker, and call the minister out for not doing her job all the way, for bringing halfway legislation to this Assembly at a time when she could have brought full-way legislation to this Assembly, for not completing the Auditor General's recommendations, and for continuing to stand up and support her government in misleading the good people of Alberta about their behaviour, in misleading the good people of Alberta by saying that they're actually addressing an issue, saying it repeatedly in question period and repeatedly during this bill debate. They have taken us through a panel process where this minister and this government have continued to block the Serenity issue from finally being dealt with.

So while we will support this legislation because there is some good stuff in it, let us be very, very clear. It does not go far enough. The minister knows it does not go far enough, and until the minister will stand up and actually do her job on behalf of the children of Alberta, we will have to continue to push forward this agenda to make sure that there will finally be a change in our system, to make sure that another little girl like Serenity cannot be starved, beaten, and raped until she is killed. That is her responsibility, and if she will not do it, we will do it for her, Mr. Speaker.

**The Acting Speaker:** Any other members wishing to speak to Bill 18? The hon. Member for Calgary-Hays.

**Mr. McIver:** Thank you, Mr. Speaker. I'm happy to speak to Bill 18. As my colleague from Rimbey-Rocky Mountain House-Sundre said, this bill is worth supporting. But this bill should be an A plus, and it's about a C or a C minus, and that is a shame. The minister, the government, the Premier settled for mediocre when they could have had great. The difference wouldn't have cost them any more money. It wouldn't have been any more effort. They just didn't have the courage to be held accountable, and that is a shame.

I guess we shouldn't be surprised because that's how this started. Let's be clear. This started because of Serenity. Let's be clear. Serenity died on the previous government's watch, which I was a part of. We didn't get that right, and this government hasn't got that right. The only thing I will say different is that this government has not yet admitted that they haven't gotten it right. That truly is a shame, and that has stopped them from doing the best job they could do because – you know what? – the first step is admitting that you've got a problem, and they haven't admitted that they have a problem.

But they did succumb to some pressure finally, starting with Paula Simons with the *Edmonton Journal* and with other media and with the opposition pressuring them day after day and not getting honest answers here on the questions that we asked. Nonetheless, the pressure was there.

You know what? If the government had taken our advice, they could have been heroes. They really wasted an opportunity here. Had they listened to the opposition and called an all-party committee, we could've been more in control of it instead of just on the minister's schedule, could've had open conversations about what happened to Serenity, and could've had open conversations about why the other children are still in the house where Serenity used to be. We could've had open conversations about why charges haven't been pressed and what was done wrong and what needs to be done right in the future. We haven't even been allowed to address the issue that brought us to this point because the minister made a choice, with the Premier's permission presumably, to put this in a place where she could sweep the details under the carpet instead of talking about it publicly.



Yes, government members, you should hang your heads because your minister has let you down. She has let us down. She has let children in care down. She's done some good. She just hasn't done half of what she could have done, and that, Mr. Speaker, is truly, truly a shame.

Again, the history of it is the fact that the government was badgered, taunted, pressured into finally firing the one minister, thank goodness, and hiring another minister that was supposed to do better. Probably, what that minister is doing is still better than the one that got fired, but the fact is, Mr. Speaker, that the job is not up to what it should have been.

The fact is that some of the issues that brought us here – the issue of Serenity hasn't been talked about. The issue of freedom of information and protection of privacy hasn't been fully dealt with. Again, as has been said, currently the media can publish the name of a child that dies in care but the office of the Child and Youth Advocate cannot in some cases. You know what? We got advice. We got advice from an Edmonton police chief that said that there are changes that he would like to see made to the FOIP legislation. Those changes sadly went missing, so for the minister to stand up and say, "We did everything" or for the Premier to say, "We did everything that this committee recommended" is patently not true. Absolutely, flat not true. It's a terrible shame. It's a terrible shame.

Even some of the amendments: it's kind of unbelievable to me that some of them got turned down tonight. Here are the themes that we heard. Mr. Speaker, you're on the committee with me, so you know this. You heard the same things at the same time in the same place that I heard them. We heard from First Nations people, Métis people, and other indigenous people that they are being treated like second-class citizens. They don't get the information they need, they don't have the same resources, and the system is full of indigenous kids, about 2 out of 3. Some of the amendments that were put forward tonight to make sure that indigenous children and their families get better treatment, more like what everybody else gets, the government turned down.

To be clear, I am grateful that the government did pass some of our amendments. I am very grateful for that. That actually improved the legislation. The fact is that had they listened to us in the beginning, had they had an all-party committee, had they taken our advice, had they allowed the ministerial panel to talk about Serenity, had they dealt with the FOIP issue, had they made the changes to bring aboriginal, Métis, and other indigenous people up to the same standards that other people have, this legislation could have been great. You know what? I suppose there are places – we've got members sleeping over there – where the government can settle for average or mediocre. Children in care is one of those places where they ought not to have settled for mediocre, yet they did.

So, Mr. Speaker, we're not done. The committee will go on. All members of the committee, I'm sure, the ones on the government side will continue to do their best. I sincerely hope we get better support from this Premier and this minister in the future than we've gotten so far. I can tell you, as my colleague just said, that the government can feel like they made an improvement, and I will agree with that, which is why I and we will support this legislation, because it has made things better. The fact is that they only went half as far as they easily could have, and that is a crying shame.

**1:40**

**The Acting Speaker:** Any questions or comments under 29(2)(a)? Seeing none, are there any other members wishing to speak to Bill 18?

Seeing none, the hon. Minister of Children's Services to close debate.

**Ms Larivee:** Okay. Well, once again thank you very much to the panel for the work in creating the recommendations that allowed us to bring forward this legislation. I'm looking forward to moving forward with this legislation, should it pass, and improving life for children right across this province.

Thank you.

[Motion carried; Bill 18 read a third time]

## Bill 17

### Fair and Family-friendly Workplaces Act

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

**Ms Gray:** Thank you very much, Mr. Speaker. It's my honour to rise and move third reading of Bill 17, the Fair and Family-friendly Workplaces Act.

This bill contains a number of measures that are going to improve the lives of Albertans and align our legislation with other jurisdictions because over the course of 30 years it has gotten greatly out of line with other Canadian jurisdictions. I'm proud to move third reading. I think that this bill will move Alberta forward significantly.

Thank you, Mr. Speaker.

**The Acting Speaker:** Are there any members wishing to speak to Bill 17? The hon. Member for Barrhead-Morinville-Westlock.

**Mr. van Dijken:** Thank you, Mr. Speaker. It's a pleasure to rise this evening, in the early hours of the morning maybe, to speak to third reading of Bill 17, the so-called fair and family-friendly workplace amendment act. At a time when our province is experiencing significant uncertainty and many Albertans find themselves without a job, this government has decided to add even another level of uncertainty. By adding significant changes to the Labour Relations Code, we have opened up, possibly, another signal to send to the marketplace that Alberta is moving down a road of uncertainty.

Alberta has suffered a severe recession. Tens of thousands of Albertans have lost their jobs. These people need a government to do no more harm, yet at a time when Albertans need their government to focus on creating an environment conducive to investment and job creation, this government's priority is to pander to their union friends. This is quite concerning, Mr. Speaker. This government is sending signals to the marketplace that are not helping. Bill 17 is not helping to encourage investment needed to bring back well-paying jobs.

This government should be ashamed of itself for ramming through an omnibus bill at the very end of session. Look how late we are in the day. We're discussing this bill because this government was scrambling. This government was scrambling to put together a huge bill after so little consultation. Even at the end of our work in Committee of the Whole this government had to bring forward last-minute amendments to change the bill because they recognize that they haven't got it right, yet we could have taken the time. We moved many amendments to take the time to do it right.

This government knows that many elements of this bill are specifically designed to serve its union bosses and are not in the best interests of everyday Albertans. The government's strategy was to take away public attention from the changes to the Labour Relations Code. Continually the minister would highlight and focus on employment standards parts of the legislation but never highlight what was being done in our Labour Relations Code, hoping that Albertans would not notice. Mr. Speaker, Albertans have noticed,

and I do believe that they will recognize that this government has been working more for their union friends than for the everyday Albertans that are just – all they want is an environment where they can go and find a job. This government's main priority appears to not be to look after vulnerable workers at all; it is to enable their union bosses to expand their reach and increase the market share of the province that is unionized.

One way to do this is to get rid of the secret ballot vote to certify a union, a democratic right, a pillar of a democratic society to protect the rights of all individuals to a secret ballot to be able to not be put into a situation of coercion. Union activists will now be able to coerce 65 per cent of a workplace's employees into signing union cards, and then their job is done. It doesn't even matter how many employees are in that business.

Opposition members brought forward some 30 amendments. As I said previously, even the government had to bring forward amendments to try and improve this bill.

We put forth an amendment so that the government can rethink its removal of the secret ballot. The government had an opportunity to acknowledge that secret ballots are a fundamental aspect of democracy that serves an important purpose, but this government voted down our amendment. This is not compassionate and is inconsiderate to the vulnerable workers who would sign cards knowing that they could say in a secret ballot how they really feel when they cast their secret ballot in a subsequent vote.

Mr. Speaker, it is disgraceful that the NDP even defeated our amendment to prevent unsolicited visits to employees' private residences. The NDP recently banned door-to-door sales for other sectors because they say that some residents are very vulnerable to some of the tactics used. Now they're endorsing it if it could mean more unionization. This government's main priority was not to protect Albertans or to protect employees from coercion, intimidation, threats, promises, undue influence, and the like; this government's main priority was to simplify union certification.

In addition, this government would not reverse its unjustifiable decision to double the amount of time that union organizers have to get people to sign these cards. It used to be that workers had to sign the union cards within 90 days of the application for union certification. Now the cards are valid for up to 180 days, even more pressure on employees in the workforce and even more time to be intimidated.

In fact, this government voted down many reasonable amendments proposed in this House. One that immediately comes to mind is when it comes to banking overtime. With this bill employers must give workers one and a half hours off for every one hour of banked overtime. One of our concerns with this is that overtime is often banked at the initiative of the employee. For example, an employee might come in an hour early and leave an hour late from Monday to Thursday so that they can take an extended weekend with their family, maybe go camping at the lake or spend other time with their family. Now under Bill 17 an employer is less likely to allow their workers to do that if it costs the employer time and a half. We tried to pass an amendment to return the ratio to one hour for one hour generally but only if banked overtime was at the initiative of the employee. It's a very common-sense amendment, but this NDP government voted down that motion.

When this affects Albertan families, who now have much less flexibility in the workplace, we will make it clear and remind them that this is because of the NDP. The NDP's world view is one that the government should tell people how to live and that the government knows what's best for the people. The NDP's world view is one that business owners, whether large or small, are on a mission to extract as much as possible out of their employees and

exploit them at every opportunity. Mr. Speaker, there are many, many hard-working Albertans that are good people who create jobs and bring value to society through their businesses.

1:50

With this bill especially the NDP shows serious disregard for the plight of business owners and job creators at this time. This NDP government keeps piling on and on, making it difficult for businesses to adjust. Businesses can adjust, but they need time to adjust. It becomes very difficult in troubled times to adjust your business to be able to survive and produce the jobs that Albertans are looking for. Businesses are already having to deal with the highest minimum wage of all provinces. Now, while our economy is slumping, they will have to pay more for overtime, be unable to have compressed work weeks, have to grant indefinite secure leaves, provide more notice for group terminations. The list goes on.

This government should be focused on getting Albertans back to work. It should be focused on making sure we have a stable economy that is attracting investment. As we attract investment, we create the jobs that Albertans so badly need. But, no. Instead, this government is focused on, it appears, their priority of helping its union friends and its union bosses with their interests. This government voted down reasonable amendments that are fair to union members; for example, a requirement for unions to disclose their financials. We also moved an amendment that would prevent mandatory union dues from being used for political advertising. This would have helped the NDP meet its own touted objective of getting big money out of politics.

Mr. Speaker, we even put forward an amendment that would not change the bill at all but that would allow and encourage and make subsequent governments review this act in five years so that we would not be stuck in a position where governments down the road would take their time. This minister was concerned that it was just about 30 years since it was last updated, yet this government voted that amendment down also.

[Ms Sweet in the chair]

Madam Speaker, I will not be voting in favour of Bill 17 at this time, and I would ask this government to do better, to look out for Alberta families, to look out for Alberta employees, and be sure that they're sending the right signals to the investment market to help bring the jobs back to Alberta, that our families so desperately need.

Thank you.

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

The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Cooper:** Thank you, Madam Speaker. I think that if you seek it, you will find it, that unanimous consent for one-minute bells may be granted.

[Unanimous consent granted]

**The Acting Speaker:** The hon. Member for Calgary-Elbow, followed by the hon. Member for Calgary-Fish Creek.

**Mr. Clark:** Thank you very much, Madam Speaker. As I rise to speak to third reading of Bill 17, I truly wish that it was two bills because I am absolutely enthusiastically in support of the changes to employment standards, especially as it relates to job-protected leave. I'd probably vote in favour of the employment standards portion of this bill. If that was a stand-alone bill, I absolutely would have easily voted for it, and I suspect this entire House would have as well. I'd proudly vote in favour of job-protected leaves like

bereavement leave, compassionate care leave, parental leave, leave for victims of domestic violence, long-term illness and injury leave, leave for attending a citizenship ceremony. These are very good changes. They're good for Albertans, and they are welcome.

But, unfortunately, the changes to the labour code did not provide the same benefits that were found in the changes to employment standards, and I couldn't support the changes to the labour code. So here at third reading, Madam Speaker, I will be voting against Bill 17 based on the changes that are contained for the labour code and to the labour code alone.

While the government calls this a modernization, what they really are repealing are modern policy measures. Innovative ideas like the secret ballot seem to have gone away. This bill and this government aim to increase the ease and frequency of unionization and union density in Alberta while directly increasing costs for business. Now, like I say, I strongly support job-protected leave, but now is not the time to put in additional barriers and cumulative impacts for industry and small business in this province. Albertans who want to join a union can do that today. They don't need the help of a union-friendly government to help expand the footprints of unions in this province.

One of my biggest concerns is how rushed this bill was. The NDP introduced two pages of amendments here after midnight and pushed them through the Legislature with virtually no time for the opposition to review them. Before the bill was introduced, there were very few actual consultations that directly involved employers and employees. Now, talking to just employer and union advocacy organizations absolutely must be supplemented with public consultation and meaningful dialogue with employers and employees and all Albertans, and on this the NDP badly missed the mark. The government should have consulted on the draft legislation throughout the summer, like they did with the MGA, to give all Albertans an opportunity for input on the dramatic changes proposed to Alberta's labour code. I sincerely fear, Madam Speaker, that there will be serious unintended consequences.

The process on Bill 17 was an absolute failure. From start to finish it failed and showed how little the NDP care, really, about what Albertans need, especially those in the business sector. I specifically don't like getting rid of the secret ballot provision, Madam Speaker. They refused our amendment to increase accountability of the card check process. They continually reminded the House and Albertans how long it's been since the legislation was reviewed and then rejected multiple attempts to establish a mandatory review period. The last-minute amendments with very little time for us to review that and consider the implications of that were very disrespectful, I think, to the House and to members. The changes to overtime pay, without allowing employers time to adjust, is yet another brick in the wall that business owners in this province have to face as a result of this government.

The specific changes in this bill are troubling enough on their own, but when added up with all the other changes this government has brought in, it makes it increasingly difficult to start a business in Alberta, it makes it increasingly difficult to expand a business in Alberta, it causes companies to want to look at other jurisdictions, and for the companies that are looking to be located in Alberta, it causes them to think twice. These sorts of changes cause a flight of capital out of our province, Madam Speaker, and that impacts the prosperity of all Albertans. When Albertans are not as prosperous, they pay less tax, which means we have less money to fund important social programs, which I know this government believes in. The money has to come from somewhere.

What we have in this province is a strong track record of very good relationships between employers and employees, a true

partnership, and that is what I don't think this government understands. Hearing the debate here in this House on Bill 17 lays bare the bias this government has and the true belief they have about business and how the terrible business owners are only out to take advantage of the poor workers. Well, you know what, Madam Speaker? It's very important that we protect people who need protection. There's absolutely no question. There are changes in this bill, especially to employment standards, which achieve that goal, and I'm enthusiastically in favour of and supportive of them. But there are other changes which do nothing more than constrain business in a way that's unhelpful, which causes capital to flee our province, and that is not good for Alberta.

For those reasons, I will be voting against Bill 17. Thank you.

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

The hon. Member for Calgary-Fish Creek.

**Mr. Gotfried:** Thank you, Madam Speaker. I'm going to stand today to speak against this bill, the Fair and Family-friendly Workplaces Act. Fair? Well, that's questionable. Family friendly? Well, I think we'll find out more about whether that's actually true. Improving the lives of Albertans? The jury is out on that one. It's kind of doubtful in certain areas, but I'd welcome this government to prove it to us, that this is going to be fair, family friendly, and improving the lives of Albertans.

2:00

Madam Speaker, let's make no mistake. We all believe that this should have been split into two bills right from the very beginning. It was voted down on first reading. It should have been sent to committee. There was a lack of consultation here, very clearly – 27 days of consultation by invitation only and in only four locations across the province and online – 27 days of consultation for an inadequate piece of legislation. Again, some good elements to it, but unintended consequences, I believe, are going to be key to this.

Much of what's been said by my colleague the hon. Member for Barrhead-Morinville-Westlock is going to be repeated here, but I think it deserves repeating. We've been speaking out on behalf of Albertans together, many of us here.

**An Hon. Member:** Which Albertans? The firefighters?

**Mr. Gotfried:** Many Albertans, actually.

And we're hearing from Albertans that they believe in self-reliance, they believe in free enterprise, they believe in hard work. They also believe that the best social program is a job.

Madam Speaker, I'm very proud of some organizations we've been working with as well. They've been speaking out on behalf of their members, the Albertans that they represent, businesses that they represent, employees that they represent, groups like Keep Alberta Working, the Canadian Federation of Independent Business, the Alberta Hotel & Lodging Association, the Calgary Chamber, the Alberta Enterprise Group, Merit Contractors, the Alberta Chambers of Commerce. These organizations represent people and businesses and investors and risk capital that create jobs. They should be commended. Many of these organizations have said to us: we're apolitical; we don't want to take on any ideology; we want to speak out on behalf of Albertans and businesses. Those are the people that matter to them, not just the owners and operators but the employees that make their living, that have that job, which is the best social program we can deliver.

We hear from dozens of private businesses. We tabled many letters from owners and managers and HR professionals from organizations across this province, across all sectors, telling us how frightened they were about certain elements of this legislation.

Small to medium-sized businesses are already struggling because of a carbon tax that has driven their bottom line into the ground; increasing minimum wages, which have forced them to lay off employees so that they can at least eke out a meagre existence and pay themselves as owners, investors, entrepreneurs a modest wage without having to work 20 hours a day themselves; struggling through an environment of unemployment, where people don't have disposable income; trying to make ends meet.

We hear about the criticism of the existing labour legislation that we have in this province. Madam Speaker, I remember that when I was with Calgary Economic Development – I think it was in 2012, 2013 – 87 per cent of the new jobs in Canada were created right here in this province. Eighty-seven per cent. That doesn't sound like a flawed labour market to me. We were recruiting across this country and around the world, telling people to come to this great province to find work, to fill the jobs that we had here, for the skilled labour jobs, the labour that they needed, the highly skilled individuals, the engineers, to come to Alberta. That doesn't sound like a flawed labour market to me except that we had a shortage in finding skilled people to come here, who wanted to come to this great province. Now we're suffering with a low disposable income, high unemployment. And here we're going to layer legislation on top of that that is going to burden the recovery that we all hope to see.

Yes, there are some good parts to the employment standards here. No question. We all agree with that. We voted for those. But those costs are borne by someone, Madam Speaker, even for the changes in the legislation that are compassionate, that we believe in, and that are socially responsible. Those costs are not borne by us in this House, the 87 of us. They're borne by businesses and investors. If we don't understand that those costs are going to be there, with the fact that somebody can come back – thankfully now not 48 hours later. They'd have to give us seven days' notice, but maybe the employee that you've got in there you need to give two weeks' notice to. Well, somebody has to bear the cost of that extra week of labour costs.

For a small employer that might be significant. For somebody with hundreds of employees that could be significant. We cannot be cavalier about the costs we layer on Albertans and Alberta businesses that are creating jobs in this province. They're on the brink of survival. Some of these small businesses are being wiped out, and with that are the jobs, the tax base, and a modest living for owners, who only expect a modest return on investment. Make no mistake. When they fail, they take with them landlords and cleaners and building managers and their suppliers and trades that they work with. Madam Speaker, we've made a lot of sacrifices here – and for what? – for big labour, for a perspective and an ideology which have skewed this legislation in favour of big labour with unintended consequences.

The big piece of this, Madam Speaker, is the rescinding of the secret ballot, which we've talked about ad nauseam here. The secret ballots have been an expectation within a responsible and responsive democratic society for as long as any of us here have been around and many years before, a right fought for by our forefathers so that we could have that kind of freedom, that kind of privacy, an expectation of anonymity and freedom from pressure, persecution, intimidation, scorn, ostracization, shunning, or – God forbid – bullying from somebody in your workplace. We're worried about that, not just from the employer side but from the union side.

We tried to introduce some balance for that in our amendments. Twenty-eight of those amendments were voted down by this government. Many of those could have been used to improve this legislation. Make no mistake. Albertans are watching you in this endeavour. The economy may respond positively, or it might deliver unintended consequences, that we've spoken about. Again, 28 rejected amendments here will bear witness to whether you actually took enough time and consulted adequately. You didn't

even consult well with us in this House. Thirty amendments and only two were accepted; 28 of those were rejected. Don't forget that we are here as the voice of Albertans, and you didn't listen to that voice either.

You rushed to pass this legislation after only 27 days of consultation: a botched, late presentation of this legislation, some late amendments brought to us looking like they were printed off, a quick print just minutes ago, on the back of a napkin, hardly signed, looking a little bit amateurish, I would say. It looks like the whole bill, stapled when we first got it, was rushed here. Why? Because we had 27 days of consultation, and that's plenty to listen to Albertans.

Madam Speaker, this government pushed, this side of the House pushed back in protection of the rights of Albertans – employees and employers, hard-working people, families – and now we're stuck with their flawed vision of the good, the bad, and the downright ugly in terms of labour legislation. The government over there, as they're looking at the amendments, looking at that rushed legislation, they need to wear it, and they need to bear responsibility for the flaws and for this last stake in the heart of the Alberta advantage. [interjections]

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

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

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

Seeing none, I will now call on the hon. Minister of Labour and the minister responsible for democratic renewal to close debate.

**2:10**

**Ms Gray:** Thank you very much, Madam Speaker. Bill 17, the Fair and Family-friendly Workplaces Act, is going to make sure that no more will someone in Alberta get fired for being sick or lose their job because they have a child that needs chemotherapy treatments, will make sure that reasonable breaks are given to all employees, will make sure that we have an enforcement system that gives us a chance at collecting the over \$18 million in unpaid fines that currently exist in our employment standards system, will make sure that we are holding people to account, improving our system, and aligning it with other jurisdictions. I'm very proud of the changes in Bill 17, and I'd like to thank all members for contributing to the discussion.

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

[Several members rose calling for a division. The division bell was rung at 2:11 a.m.]

[One minute having elapsed, the Assembly divided]

[Ms Sweet in the chair]

For the motion:

|               |              |           |
|---------------|--------------|-----------|
| Anderson, S.  | Hinkley      | Nielsen   |
| Babcock       | Hoffman      | Notley    |
| Bilous        | Kazim        | Piquette  |
| Carlier       | Kleinsteuber | Rosendahl |
| Carson        | Larivee      | Sabir     |
| Ceci          | Littlewood   | Schmidt   |
| Coolahan      | Loyola       | Schreiner |
| Cortes-Vargas | Mason        | Shepherd  |
| Dach          | McKittrick   | Sigurdson |
| Dang          | McPherson    | Sucha     |
| Drever        | Miller       | Turner    |
| Feehan        | Miranda      | Woollard  |
| Gray          |              |           |

Against the motion:

|              |           |              |
|--------------|-----------|--------------|
| Aheer        | Gotfried  | Schneider    |
| Anderson, W. | Hunter    | Starke       |
| Clark        | Loewen    | Strankman    |
| Cooper       | MacIntyre | Taylor       |
| Drysdale     | McIver    | van Dijken   |
| Fildebrandt  | Nixon     | Yao          |
| Gill         | Pitt      |              |
| Totals:      | For – 37  | Against – 20 |

[Motion carried; Bill 17 read a third time]

**Some Hon. Members:**

Solidarity forever, solidarity forever  
Solidarity forever . . .

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

**Mr. Mason:** Thank you very much, Madam Speaker. I didn't know that the Wildrose members knew the words to that song. Apparently, they have been studying.

I just want to thank all members for their contribution to a very, I think, full legislative session. The debate has been vigorous, and by and large it's been positive. We've got a lot of business done.

I'd like to thank the opposition House leaders for their co-operation in helping us navigate this. I think we managed to make it work a little more efficiently than might otherwise have been the case.

Pursuant to Government Motion 21 I wish to advise the Assembly that the business for the sitting is concluded and that the Assembly stands adjourned.

**The Acting Speaker:** Hon. Government House Leader, you are adjourning the House until October 30, 2017, as agreed to?

**Mr. Mason:** Yeah. Whenever is in the rules.

**The Acting Speaker:** Hon. members, pursuant to Government Motion 21, agreed to on May 25, 2017, the Assembly stands adjourned until Monday, October 30, 2017, unless otherwise ordered.

[The Assembly adjourned at 2:18 a.m. on Tuesday pursuant to Government Motion 21]



## **Bill Status Report for the 29th Legislature - 3rd Session (2017)**

**Activity to Wednesday, June 7, 2017**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 200 are Government Bills. Bills numbered 201 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\* An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at 780.427.2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter number until the conclusion of the Fall Sitings.

### **Bill 1 — An Act to Reduce School Fees (Eggen)**

First Reading — 6 (*Mar. 2, 2017 aft., passed*)

Second Reading — 105-10 (*Mar. 8, 2017 morn.*), 192-96 (*Mar. 9, 2017 aft.*), 235-42 (*Mar. 14, 2017 morn.*), 269-71 (*Mar. 14, 2017 aft.*), 273-74 (*Mar. 15, 2017 morn., adjourned*), 282-91 (*Mar. 15, 2017 morn., passed*)

Committee of the Whole — 424-31 (*Mar. 21, 2017 aft.*), 556-58 (*Apr. 6, 2017 aft., passed*)

Third Reading — 674-78 (*Apr. 19, 2017 aft., passed*)

Royal Assent — 879 (*May 4, 2017 aft.*) [Comes into force on proclamation; SA 2017 c6 ]

### **Bill 2\* — An Act to Remove Barriers for Survivors of Sexual and Domestic Violence (Ganley)**

First Reading — 67-68 (*Mar. 7, 2017 aft., passed*)

Second Reading — 110-11 (*Mar. 8, 2017 morn.*), 192 (*Mar. 9, 2017 aft.*), 314-22 (*Mar. 15, 2017 aft.*), 336-39 (*Mar. 16, 2017 morn., passed*)

Committee of the Whole — 455-59 (*Mar. 22, 2017 aft., passed with amendments*)

Third Reading — 678-79 (*Apr. 19, 2017 aft., passed*)

Royal Assent — 879 (*May 4, 2017 aft.*) [Comes into force May 4, 2017; SA 2017 c7 ]

### **Bill 3\* — Voluntary Blood Donations Act (Hoffman)**

First Reading — 208 (*Mar. 13, 2017 aft., passed.*)

Second Reading — 323-36 (*Mar. 16, 2017 morn., passed*)

Committee of the Whole — 394-400 (*Mar. 21, 2017 morn.*), 421-24 (*Mar. 21, 2017 aft., passed with amendments*)

Third Reading — 472-80 (*Mar. 23, 2017 aft., passed on division*)

Royal Assent — (*Mar. 30, 2017 outside of House sitting*) [Comes into force Mar. 30, 2017; SA 2017 cV-5 ]

### **Bill 4 — Appropriation (Supplementary Supply) Act, 2017 (\$)**

First Reading — 191 (*Mar. 9, 2017 aft, passed*)

Second Reading — 306-07 (*Mar. 15, 2017 aft., adjourned*), 322 (*Mar. 15, 2017 aft., passed*)

Committee of the Whole — 389-93 (*Mar. 21, 2017 morn.*)

Third Reading — 449-52 (*Mar. 22, 2017 aft., passed on division*)

Royal Assent — (*Mar. 30, 2017 outside of House sitting*) [Comes into force Mar. 30, 2017; SA 2017 c2 ]

### **Bill 5 — Appropriation (Interim Supply) Act, 2017 (\$) (Ceci)**

First Reading — 266 (*Mar. 14, 2017 aft., passed*)

Second Reading — 310-14 (*Mar. 15, 2017 aft., passed*)

Committee of the Whole — 393-94 (*Mar. 21, 2017 morn.*)

Third Reading — 452-55 (*Mar. 22, 2017 aft., passed on division*)

Royal Assent — (*Mar. 30, 2017 outside of House sitting*) [Comes into force Mar. 30, 2017; SA 2017 c1 ]

**Bill 6 — Northland School Division Act (Eggen)**

First Reading — 524 (*Apr. 4, 2017 aft., passed*)

Second Reading — 558-61 (*Apr. 6, 2017 aft., passed*)

Committee of the Whole — 671-74 (*Apr. 19, 2017 aft., passed*)

Third Reading — 755-59 (*May 2, 2017 morn., passed*)

Royal Assent — 879 (*May 4, 2017 aft.*) [Comes into force May 4, 2017; SA 2017 cN-5.1 ]

**Bill 7 — An Act to Enhance Post-secondary Academic Bargaining (Schmidt)**

First Reading — 552 (*Apr. 6, 2017 aft., passed*)

Second Reading — 679-81 (*Apr. 19, 2017 aft.*)

Committee of the Whole — 810-15 (*May 3, 2017 morn.*), 828-38 (*May 3, 2017 aft., passed*)

Third Reading — 865-66 (*May 4, 2017 morn., passed*)

Royal Assent — 879 (*May 4, 2017 aft.*) [Comes into force May 4, 2017, with exception; SA 2017 c4 ]

**Bill 8\* — An Act to Strengthen Municipal Government (S. Anderson)**

First Reading — 577 (*Apr. 10, 2017 aft., passed*)

Second Reading — 691-700 (*Apr. 20, 2017 morn.*), 716-22 (*Apr. 20, 2017 aft.*), 780-84 (*May 2, 2017 aft., passed on division*)

Committee of the Whole — 784-95 (*May 2, 2017 aft.*), 838-45 (*May 3, 2017 aft.*), 855-65 (*May 4, 2017 morn., passed with amendments*)

Third Reading — 991-1004 (*May 11, 2017 morn.*), 1101-06 (*May 16, 2017 aft.*), 1107-10 (*May 17, 2017 morn., passed on division*)

Royal Assent — (*Jun. 7, 2017 outside of House sitting*) [Comes into force on various dates; SA 2017 c13 ]

**Bill 9 — Marketing of Agricultural Products Amendment Act, 2017 (Carlier)**

First Reading — 606 (*Apr. 11, 2017 aft., passed*)

Second Reading — 683-87 (*Apr. 20, 2017 morn., passed*)

Committee of the Whole — 687-90 (*Apr. 20, 2017 morn., passed*)

Third Reading — 759-62 (*May 2, 2017 morn., passed*)

Royal Assent — 880 (*May 4, 2017 aft.*) [Comes into force on proclamation; SA 2017 c5 ]

**Bill 10 — Appropriation Act, 2017 (\$) (Ceci)**

First Reading — 670-71 (*Apr. 19, 2017 aft., passed on division*)

Second Reading — 690-91 (*Apr. 20, 2017 morn.*), 700-02 (*Apr. 20, 2017 morn.*), 722-23 (*Apr. 20, 2017 aft., passed*)

Committee of the Whole — 762-67 (*May 2, 2017 morn.*), 795-97 (*May 2, 2017 aft., passed*)

Third Reading — 799-810 (*May 3, 2017 morn.*), 845-47 (*May 3, 2017 aft., passed on division*)

Royal Assent — 880 (*May 4, 2017 aft.*) [Comes into force May 4, 2017; SA 2017 c3 ]

**Bill 11\* — Public Interest Disclosure (Whistleblower Protection) Amendment Act, 2017 (Gray)**

First Reading — 771 (*May 2, 2017 aft., passed*)

Second Reading — 849-55 (*May 4, 2017 morn.*), 924-39 (*May 9, 2017 aft., passed*)

Committee of the Whole — 1072-77 (*May 16, 2017 morn.*), 1092-1101 (*May 16, 2017 aft.*), 1168-69 (*May 18, 2017 morn., passed with amendments*)

Third Reading — 1199-1202 (*May 23, 2017 morn., passed*)

Royal Assent — (*Jun. 7, 2017 outside of House sitting*) [Comes into force on proclamation, with exceptions; SA 2017 c11 ]

**Bill 12\* — New Home Buyer Protection Amendment Act, 2017 (S. Anderson)**

First Reading — 877 (*May 4, 2017 aft., passed*)

Second Reading — 939-44 (*May 9, 2017 aft.*), 945-56 (*May 10, 2017 morn., passed*)

Committee of the Whole — 956-62 (*May 10, 2017 morn.*), 1004-1008 (*May 11, 2017 morn.*), 1008-10 (*May 11, 2017 morn.*), 1111-20 (*May 17, 2017 morn., passed with amendments*)

Third Reading — 1169-71 (*May 18, 2017 morn., passed*)

Royal Assent — (*Jun. 7, 2017 outside of House sitting*) [Comes into force on proclamation; SA 2017 c10 ]

**Bill 13 — Securities Amendment Act, 2017 (Ceci)**

First Reading — 893 (*May 8, 2017 aft., passed*)

Second Reading — 977-90 (*May 10, 2017 aft., passed*)

Committee of the Whole — 1027-31 (*May 11, 2017 aft.*), 1065-72 (*May 16, 2017 morn., passed*)

Third Reading — 1137-44 (*May 17, 2017 aft., passed*)

Royal Assent — (*Jun. 7, 2017 outside of House sitting*) [Comes into force June 7, 2017; SA 2017 c12 ]



**Bill 14 — An Act to Support Orphan Well Rehabilitation (McCuaig-Boyd)**

First Reading — 1090 (*May 16, 2017 aft., passed*)

Second Reading — 1144-52 (*May 17, 2017 aft., passed*)

Committee of the Whole — 1225-30 (*May 23, 2017 aft., passed*)

Third Reading — 1244-46 (*May 24, 2017 morn., passed*)

Royal Assent — (*Jun. 7, 2017 outside of House sitting*) [Comes into force June 7, 2017; SA 2017 c14 ]

**Bill 15 — Tax Statutes Amendment Act, 2017 (Ceci)**

First Reading — 1137 (*May 17, 2017 aft., passed*)

Second Reading — 1184-89 (*May 18, 2017 aft., passed*)

Committee of the Whole — 1215-25 (*May 23, 2017 aft., passed*)

Third Reading — 1246-48 (*May 24, 2017 morn., passed*)

Royal Assent — (*Jun. 7, 2017 outside of House sitting*) [Comes into force on various dates; SA 2017 c15 ]

**Bill 16 — An Act to Cap Regulated Electricity Rates (\$) (McCuaig-Boyd)**

First Reading — 1214 (*May 23, 2017 aft., passed*)

Second Reading — 1262-78 (*May 24, 2017 aft., passed*)

Committee of the Whole — 1279-91 (*May 25, 2017 morn.*), 1291-97 (*May 25, 2017 morn.*), 1351-58 (*May 29, 2017 eve.*), 1389-1406 (*May 30, 2017 aft., passed*)

Third Reading — 1514-17 (*Jun. 1, 2017 aft., passed on division*)

Royal Assent — (*Jun. 7, 2017 outside of House sitting*) [Comes into force June 7, 2017, with exceptions; SA 2017 cC-2.3 ]

**Bill 17\* — Fair and Family-friendly Workplaces Act (Gray)**

First Reading — 1260 (*May 24, 2017 aft., passed on division*)

Second Reading — 1311-22 (*May 25, 2017 aft.*), 1359-61 (*May 29, 2017 eve.*), 1363-76 (*May 30, 2017 morn.*), 1407-20 (*May 30, 2017 eve.*), 1421-32 (*May 31, 2017 morn., passed*)

Committee of the Whole — 1432-36 (*May 31, 2017 morn.*), 1449-66 (*May 31, 2017 aft.*), 1467-79 (*May 31, 2017 eve.*), 1490-99 (*Jun. 1, 2017 morn.*), 1517-20 (*Jun. 1, 2017 aft.*), 1534-51 (*Jun. 5, 2017 aft.*), 1553-67 (*Jun. 5, 2017 eve., passed with amendments*)

Third Reading — 1589-93 (*Jun. 5, 2017 eve., passed on division*)

Royal Assent — (*Jun. 7, 2017 outside of House sitting*) [Comes into force on various dates; SA 2017 c9 ]

**Bill 18\* — Child Protection and Accountability Act (Larivee)**

First Reading — 1388 (*May 30, 2017 aft., passed*)

Second Reading — 1481-90 (*Jun. 1, 2017 morn., passed*)

Committee of the Whole — 1567-79 (*Jun. 5, 2017 eve., passed with amendments*)

Third Reading — 1587-89 (*Jun. 5, 2017 eve., passed*)

Royal Assent — (*Jun. 7, 2017 outside of House sitting*) [Comes into force on proclamation; SA 2017; c8 ]

**Bill 201 — Justice System Accountability Act (Jean)**

First Reading — 127 (*Mar. 8, 2017 aft., passed*)

Second Reading — 208-20 (*Mar. 13, 2017 aft., defeated on division*)

**Bill 202\* — Protecting Victims of Non-Consensual Distribution of Intimate Images Act (Cyr)**

First Reading — 245 (*Mar. 14, 2017 aft., passed*)

Second Reading — 375-86 (*Mar. 20, 2017 aft., passed*)

Committee of the Whole — 578-86 (*Apr. 10, 2017 aft., passed with amendments*)

Third Reading — 738-40 (*May 1, 2017 aft., passed on division*)

Royal Assent — 880 (*May 4, 2017 aft.*) [Comes into force 3 months after date of Royal Assent; SA 2017 cP-26.9 ]

**Bill 203 — Alberta Standard Time Act (Dang)**

First Reading — 253 (*Mar. 14, 2017 aft., passed*)

Second Reading — 496-503 (*Apr. 3, 2017 aft., referred to the Standing Committee on Alberta's Economic Future*)

**Bill 204 — Protection of Property Rights Statutes Amendment Act, 2017 (Stier)**

First Reading — 444 (*Mar. 22, 2017 aft., passed*)

Second Reading — 503-07 (*Apr. 3, 2017 aft.*), 899-905 (*May 8, 2017 aft.*), 1046-50 (*May 15, 2017 aft., reasoned amendment agreed to on division*)

**Bill 205\* — Advocate for Persons with Disabilities Act (Jansen)**

First Reading — 552 (*Apr. 6, 2017 aft.*)

Second Reading — 1050-57 (*May 15, 2017 aft.*), 1120-25 (*May 17, 2017 morn., moved to Government Bills and Orders*), 1153-63 (*May 18, 2017 morn., passed*)

Committee of the Whole — 1163-68 (*May 18, 2017 morn.*), 1191-99 (*May 23, 2017 morn., passed with amendments*)

Third Reading — 1231-43 (*May 24, 2017 morn., passed on division*)

Royal Assent — (*Jun. 7, 2017 outside of House sitting*) [Comes into force on proclamation; SA 2017 cA-5.5 ]

**Bill 206 — Child, Youth and Family Enhancement (Adoption Advertising) Amendment Act, 2017 (Aheer)**

First Reading — 1024 (*May 11, 2017 aft., passed*)

Second Reading — 1334-45 (*May 29, 2017 aft., passed on division*)

**Bill 207 — Regulatory Burden Reduction Act (Hunter)**

First Reading — 1310 (*May 25, 2017 aft., passed*)

**Bill 208 — Government Organization (Utilities Consumer Advocate) Amendment Act, 2017 (Hinkley)**

First Reading — 1512 (*Jun. 1, 2017 aft., passed*)

**Bill Pr1 — Calgary Jewish Centre Amendment Act, 2017 (Kazim)**

First Reading — 524 (*Apr. 4, 2017 aft., passed*)

Second Reading — 1110 (*May 17, 2017 morn., passed*)

Committee of the Whole — 1110-11 (*May 17, 2017 morn., passed*)

Third Reading — 1261-62 (*May 24, 2017 aft., passed*)

Royal Assent — (*Jun. 7, 2017 outside of House sitting*) [Comes into force June 7, 2017 ]

**Bill Pr2 — Paula Jean Anderson Adoption Termination Act (MacIntyre)**

First Reading — 524 (*Apr. 4, 2017 aft., passed*)

Second Reading — 1027 (*May 11, 2017 aft., passed*)

Committee of the Whole — 1027 (*May 11, 2017 aft., passed*)

Third Reading — 1110 (*May 17, 2017 morn., passed*)

Royal Assent — (*Jun. 7, 2017 outside of House sitting*) [Comes into force June 7, 2017 ]

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