



Province of Alberta

The 29th Legislature  
Third Session

# Alberta Hansard

Tuesday afternoon, December 12, 2017

Day 65

The Honourable Robert E. Wanner, Speaker

## Legislative Assembly of Alberta The 29th Legislature

### Third Session

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

Aheer, Leela Sharon, Chestermere-Rocky View (UCP),  
Deputy Leader of the Official Opposition  
Anderson, Hon. Shaye, Leduc-Beaumont (NDP)  
Anderson, Wayne, Highwood (UCP)  
Babcock, Erin D., Stony Plain (NDP)  
Barnes, Drew, Cypress-Medicine Hat (UCP)  
Bilous, Hon. Deron, Edmonton-Beverly-Clareview (NDP)  
Carlier, Hon. Oneil, Whitecourt-Ste. Anne (NDP)  
Carson, Jonathon, Edmonton-Meadowlark (NDP)  
Ceci, Hon. Joe, Calgary-Fort (NDP)  
Clark, Greg, Calgary-Elbow (AP)  
Connolly, Michael R.D., Calgary-Hawthood (NDP)  
Coolahan, Craig, Calgary-Klein (NDP)  
Cooper, Nathan, Olds-Didsbury-Three Hills (UCP)  
Cortes-Vargas, Estefania, Strathcona-Sherwood Park (NDP),  
Government Whip  
Cyr, Scott J., Bonnyville-Cold Lake (UCP)  
Dach, Lorne, Edmonton-McClung (NDP)  
Dang, Thomas, Edmonton-South West (NDP)  
Drever, Deborah, Calgary-Bow (NDP)  
Drysdale, Wayne, Grande Prairie-Wapiti (UCP)  
Eggen, Hon. David, Edmonton-Calder (NDP)  
Ellis, Mike, Calgary-West (UCP)  
Feehan, Hon. Richard, Edmonton-Rutherford (NDP),  
Deputy Government House Leader  
Fildebrandt, Derek Gerhard, Strathmore-Brooks (Ind)  
Fitzpatrick, Maria M., Lethbridge-East (NDP)  
Fraser, Rick, Calgary-South East (Ind)  
Ganley, Hon. Kathleen T., Calgary-Buffalo (NDP),  
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Gill, Prab, Calgary-Greenway (UCP),  
Official Opposition Deputy Whip  
Goehring, Nicole, Edmonton-Castle Downs (NDP)  
Gotfried, Richard, Calgary-Fish Creek (UCP)  
Gray, Hon. Christina, Edmonton-Mill Woods (NDP)  
Hanson, David B., Lac La Biche-St. Paul-Two Hills (UCP)  
Hinkley, Bruce, Wetaskiwin-Camrose (NDP)  
Hoffman, Hon. Sarah, Edmonton-Glenora (NDP)  
Horne, Trevor A.R., Spruce Grove-St. Albert (NDP)  
Hunter, Grant R., Cardston-Taber-Warner (UCP)  
Jansen, Hon. Sandra, Calgary-North West (NDP)  
Jean, Brian Michael, QC, Fort McMurray-Conklin (UCP)  
Kazim, Anam, Calgary-Glenmore (NDP)  
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Official Opposition House Leader  
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Orr, Ronald, Lacombe-Ponoka (UCP)  
Panda, Prasad, Calgary-Foothills (UCP)  
Payne, Hon. Brandy, Calgary-Acadia (NDP)  
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Official Opposition Deputy House Leader  
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Rosendahl, Eric, West Yellowhead (NDP)  
Sabir, Hon. Irfan, Calgary-McCall (NDP)  
Schmidt, Hon. Marlin, Edmonton-Gold Bar (NDP)  
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Strankman, Rick, Drumheller-Stettler (UCP)  
Sucha, Graham, Calgary-Shaw (NDP)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Taylor, Wes, Battle River-Wainwright (UCP)  
Turner, Dr. A. Robert, Edmonton-Whitemud (NDP)  
van Dijken, Glenn, Barrhead-Morinville-Westlock (UCP)  
Westhead, Cameron, Banff-Cochrane (NDP),  
Deputy Government Whip  
Woollard, Denise, Edmonton-Mill Creek (NDP)  
Yao, Tany, Fort McMurray-Wood Buffalo (UCP)  
Vacant, Calgary-Lougheed

#### Party standings:

New Democratic: 54 United Conservative: 26 Alberta Party: 2 Alberta Liberal: 1 Progressive Conservative: 1 Independent: 2 Vacant: 1

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Deputy Chair: Mrs. Schreiner

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Dang	Taylor
Ellis	Turner
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### Standing Committee on Alberta's Economic Future

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Dach	Schneider
Fitzpatrick	Schreiner
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### Select Special Auditor General Search Committee

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Deputy Chair: Mr. Malkinson

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Gill	van Dijken
Horne	Woollard
Kleinsteinuber	

### Standing Committee on Families and Communities

Chair: Ms Goehring  
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### Special Standing Committee on Members' Services

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### Standing Committee on Private Bills

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Babcock	McKitrick
Drever	Rosendahl
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Coolahan	McPherson
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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, December 12, 2017

[The Speaker in the chair]

**The Speaker:** Good afternoon. Please be seated.

### Introduction of Guests

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

**Dr. Starke:** Thank you, Mr. Speaker. It's my very great pleasure to introduce to you and through you to all members of the Assembly guests that are attending today from St. Jerome's school in Vermilion. I will point out that St. Jerome's school was one of the schools that was tagged for a significant refurbishing under our government, and it was completed under the current government, and I do want to thank especially the Minister of Education for that. It would have been done on time, but the principal, Mr. Chase, is really particular, isn't he? Yes. They're all nodding up there.

They are students from St. Jerome's school, and they're led by Rolanda Beaudette and Mr. Ted Wheat. Ted and I have a history because he used to bring cows into my clinic, usually late at night, and would provide me with consulting information on how to improve my practice, which he provided free of charge. I do want to acknowledge that, and I won't make any comment on what that consulting information was actually worth. Mr. Speaker, I would ask my colleagues to join me in giving the traditional warm welcome of the Assembly.

**The Speaker:** Welcome.

Hon. members, there are no other school groups?

Seeing and hearing none, the Member for Lethbridge-East.

**Ms Fitzpatrick:** Thank you, Mr. Speaker. I am pleased to introduce to you and through you to all members of the Assembly members of the Alberta Federation of Labour's child care working group. The working group has representatives from 13 different unions and is responsible for the Fair Start Alberta campaign, which is calling for the implementation of universal early childhood education and care. Here today to watch the tabling of their petition are Siobhán Vipond, Chris Gallaway, Susan Cake, Ron Palmer, Fangfang Xiao, Allison Alberto, and Sam Nuako. I ask them now to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Welcome.

### Members' Statements

#### Energy Efficiency Alberta Programs

**Dr. Turner:** I'm very proud to be the MLA for Edmonton-Whitemud. This House will have heard me describe it as the nicest part of Edmonton. We are blessed with a diverse population who live in Edmonton-Whitemud because of the fine schools, churches, community leagues, and recreational opportunities. We value using our natural areas year-round such as the bank of the North Saskatchewan, Whitemud Creek, Snow Valley, and the Larch sanctuary.

I know that residents of Edmonton-Whitemud, like all Albertans, have participated in our government's energy efficiency programs at record levels. Recently Energy Efficiency Alberta shared that over 150,000 Alberta households have registered for the residential no-charge energy savings program. That's 12 per cent of all single-

family Alberta households. This enthusiastic response has been confirmed at the doors, at community events, and particularly by students at the schools that I visit in Edmonton-Whitemud.

Alberta's future leaders know that the most important thing that we can do to protect our environment is to take direct action to reduce our carbon footprint. These students know to make smart choices like choosing transit and ensuring homes are as energy efficient as possible. These students are going to buy net zero homes, drive electric cars, and limit their air travel. They're going to invest in corporations that participate in global warming mitigation to market their products like Suncor, La Maison Simons, Ford, Volvo, PepsiCo, and Tesla.

I'm very proud to be associated with Alberta's climate leadership plan. It has facilitated the approval of two major pipeline products, and it will pay off by heading off climate damages, reducing health problems, and creating thousands of jobs in alternative energy. Previous governments have put off acting, and now the risks of severe storms, forest fires, glacial melting, and food insecurity are severe. We Albertans can be leaders in dealing with climate change while protecting our economy so that we can continue to enjoy our quality of life. We must continue focusing on energy efficiency and helping our vulnerable populations. The human-caused problem of climate change needs to be human solved. It's the least we can do for those that come after us.

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

#### Industrial Heartland Petrochemicals Industry

**Mr. Hanson:** Thank you very much, Mr. Speaker. Albertans should be proud of the heavy industrial designated land area known as the Alberta Industrial Heartland, established to be the petrochemical hub of the province, where oil and gas pipelines converge. If we can't get our product to market via pipeline, the heartland can get our product out on rail by converting oil and gas to petrochemical and fertilizer products. In the heartland one person's waste is another person's feedstock.

Last week news broke that Alberta-based NOVA Chemicals will be building a brand new facility. Unfortunately, it'll be in Sarnia, Ontario. NOVA will be expanding their Corunna cracker by 50 per cent to provide ethylene feedstock to a new polyethylene facility. Their second AST2 facility will increase polyethylene production capacity by 450 kilotonnes. Completion is expected in 2021.

Mr. Speaker, this is a project that should have been built here in Alberta's Industrial Heartland, but current government policies are not aligned to attract investment. Hundreds of billions of dollars in investment in new petrochemical projects are forecast globally. Alberta is being considered, but close only counts in the game of horseshoes. Coming in ranked at number 2 or 3 means no investment, no new jobs.

Alberta has some disadvantages over other jurisdictions when it comes to petrochemicals. We have a long, cold winter. It is cold to construct here, and thermodynamics come into play, adding layers of engineering and driving up costs. We're also not at tidewater, which enables global shipping at the lowest cost. We have to rely on rail, and rail service has been identified as problematic in the heartland in the past but is improving.

We had good news when royalty credits were announced for two projects under the petrochemical diversification program, but too many other projects did not get credits. New policy options need to be considered in order to get the marketing and the development of the heartland fully under way.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Glenmore.

### Collaboration

**Ms Kazim:** Thank you, Mr. Speaker. Collaboration is a necessity for building strong communities, and collaboration and community development go hand in hand. With our increasingly diverse population, community development involves the collaboration of people from different cultural backgrounds, articulation styles, and various ideological, emotional, pragmatic, and professional perspectives. Collaboration means working together, not shouting down other people's opinions.

My constituency has nine vibrant community associations. Each one has dedicated, diligent, and devoted community leaders and residents, who volunteer day and night to make our communities better. Even though each one is different, they all form strong communities because they all collaborate. I was thrilled when I sat down with the presidents of the community associations of Calgary-Glenmore to listen to the vision they hold for the communities and how willing and open they are to collaborate to strengthen relations with each other as well as our neighbour Tsuut'ina Nation.

I was also honoured to meet with Chief Lee Crowchild of the Tsuut'ina Nation. My gratitude for Chief Crowchild's generous time to meet with me and the hon. Minister of Indigenous Relations is beyond words. It was an inspirational experience meeting with him and learning about his vision for the bright future of the Tsuut'ina people, which embraces truth, fairness, collaboration, and strong neighbourly relations among all treaty people.

The only way we can create this brighter future is through understanding each other's differences and collaborating with one another. Those who practise the politics of division will never build a strong society in which everyone participates and everyone benefits. I would like to thank all of our community leaders for being amazing citizens and for moving our province and our society forward.

Thank you.

### Provincial Debt

**Mr. Gotfried:** Mr. Speaker, by 2020 every last Albertan irrespective of age, race, creed, colour, gender, or religion will be the proud owner of over \$16,000 of public debt. That translates into just over \$66,000 of debt per family of four, and that debt, paid out over 25 years, will cost that same family almost \$50,000 in interest, for a total of \$115,612 repaid over that same period. The alarming part is that this will cost that household 385 after-tax dollars, or about \$500, off their paycheque per month to repay that debt so that they don't have to pass it on to the next generation, and they will do that 300 times over that period. But as alarming as that is, that same \$385 invested in low-risk investments for the same period would yield about \$226,000 in long-term savings.

1:40

So what does that mean to the family of four who this government promises to make life better for? Well, let me tell you what those dollars might buy: a mortgage paid off; a modest recreational property or a nice camper; nine new cars, six new light trucks or SUVs or vans, or transit passes forever; \$180,000 in RRSP savings plus \$23,000 in RESP savings per child; 105 seasons of hockey registration and brand new equipment each year; 26 brand new Yamaha quads for those inclined; 25 years of family ski passes with new equipment every year for the whole family, with tens of thousands left over; 452 years of dance classes; 194 years of family fitness memberships; or maybe a modest holiday or road trip to

expand your family's horizons or just make great memories as a family every few years; better, more nutritious food on the table; or maybe just leading a better, less stressed life.

Mr. Speaker, I ask the members opposite: is your reckless spending and irresponsible approach to public debt truly making life better for Albertans or mortgaging our future and the future of generations to come due to fiscal mismanagement of this great province we call home? I want us all to have a Merry Christmas not just today but for years to come for hard-working Alberta families, to sustain our province, to provide world-class public services, with a realistic commitment to care for our seniors and the vulnerable. That is, to me, what making life better for Albertans is truly all about.

Thank you.

**The Speaker:** The hon. Member for Wetaskiwin-Camrose.

### 2017 Provincial Legislation

**Mr. Hinkley:** Thank you, Mr. Speaker. As we near the end of another session, I am proud that once again we have put forward a positive, progressive slate of bills. There is no greater gift that we as legislators can give to the people of Alberta than progressive legislation which makes life better for Albertans. For the record here are some of those: An Act to Reduce School Fees; An Act to Remove Barriers for Survivors of Sexual and Domestic Violence; An Act to Strengthen Municipal Government; New Home Buyer Protection Amendment Act, 2017; An Act to Support Orphan Well Rehabilitation; An Act to Cap Regulated Electricity Rates; Fair and Family-friendly Workplaces Act; Child Protection and Accountability Act; An Act to Protect Gas and Convenience Store Workers; Alberta Human Rights Amendment Act, 2017; An Act to Support Gay-Straight Alliances. There were 34 acts which received first reading and 15 private members' bills presented. Despite the ideological differences of the members of this Assembly I would like to thank everyone for their dedication to Albertans and all members for their diligence in looking at both the pros and cons in every debate.

I would like to thank all my constituents who provided input into my private member's bill, looking for consumer protection for their utility bills. We will strive in the future to tackle the issues of rising administration, transmission, and distribution costs. Likewise, thank you to all our committed caucus staff, who worked hard helping me to meet deadlines and edit the drafts and message notes, and thank you to all of the Legislative Assembly staff.

In closing, I just want to wish everyone all the best for this Christmas and holiday season, and I look forward to our spring session. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Greenway.

### Government Policies

**Mr. Gill:** Thank you, Mr. Speaker. Here we are at the tail end of a fall session, and this NDP government is desperate. We have seen these kinds of personal attacks before, and we recognize them for what they are, a sign of a very desperate government. This government is continuing down its typical path of making decisions on its own, without consulting with Albertans. We have seen it again in this session: bills 30, 31, 32, and 33. No consultation, yet this NDP government fully expected to see these bills approved in just days.

We've also seen it with this government's latest heavy-handed emission rules, which it announced last week. Let me quote the

Canadian Association of Petroleum Producers from a December 6 *Globe and Mail* article.

By seeing a substantial increase in the costs to industry, that as a standalone – regardless of the model – I think is something that may position us to be less competitive at a time when we need to be substantially more competitive.

Despite this criticism from a key stakeholder the NDP imposes new emissions regulations anyway.

Who are we trying to entertain here? We all come here, Mr. Speaker, to serve our people, and this government never misses an opportunity to say that they have families' backs. Which family are they talking about? I don't know whose life they are trying to make better, definitely not Albertans'. Hopefully, in this new year this government will change and learn and truly do things to make Alberta a better place to live, work, and raise a family. In the meantime on behalf of my colleagues I want to wish a Merry Christmas and a Happy New Year and from the other side a Merry Christmas with a 50 per cent increase in the carbon tax.

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Mrs. Littlewood:** Thank you, Mr. Speaker. The opposition seems to not be aware that their leader, Jason Kenney, is calling for 20 per cent cuts across the board, so I rise today to table the five requisite copies of an article from CBC News entitled Jason Kenney Proposes Drastic Cut to Alberta's Per Capita Spending, where it quotes him as saying that he would "exercise a period of sustained restraint in spending in order to get us down . . . to [B.C.] per-capita spending over time," spending . . .

**The Speaker:** Thank you, hon. member. I think we got the message.  
The hon. Member for Lethbridge-East.

**Ms Fitzpatrick:** Thank you, Mr. Speaker. All children deserve a fair start in life, and I am proud today to rise and table the requisite five copies of a document signed by hundreds of Albertans from across the province. This document was prepared by the Fair Start Alberta campaign. It calls on the government to expand the Alberta early learning and child care centre pilot project to take action to ensure an adequate workforce is trained and to ensure good working conditions for child care workers in Alberta.

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

**Ms Fitzpatrick:** Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-West.

**Mr. Ellis:** Thank you, Mr. Speaker. This morning while talking about Bill 32, I did reference a letter, which was from the Chief Electoral Officer, Glen Resler, to the hon. Minister of Labour responsible for democratic renewal. In essence, he did indicate that he had "not been consulted in relation to policy direction leading up to Bill 32." Anyway, I have the necessary five copies that I would like to table to you.

Thank you very much.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

**Mr. Cyr:** Thank you, Mr. Speaker. I have 13 letters from business owners from across Alberta that are concerned about bills 30 and 31. A couple of quick facts.

"It is clear to me that my voice as a citizen, business owner, and taxpayer has not been heard": this is from Scott, not the same one that's in front of you.

Greg is saying, "Bill 31 is an entirely worse bill from the automotive industry's perspective."

We've got Steve: "Another cost to be borne by the employers."

Bob: "The goal needs to be simplification and premium reduction, not adding further layers of administration."

Don: "These bills propose huge increases financially to the consumer and to the businesses."

Jason: "Please can I be consulted?"

John says, "Proposed changes were the result of the very biased and slanted on-line survey."

Jerry says, "Are being subjected to over regulation interference from your government."

Jim: "We were not made aware of any changes moving forward."

Paul says, "The consultation that the government did on the WCB changes was done by invitation only."

Daniel says, "Without consultation from Automotive Dealerships."

Colby says, "These changes will make it harder and more expensive to do business in Alberta."

Lastly, I have – I apologize – a Colin: "If Bill 31 passes, we may no longer have a voice as an industry."

Thank you, Mr. Speaker.

1:50

### Oral Question Period

**The Speaker:** The Leader of the Official Opposition.

### Carbon Levy Increase

**Mr. Nixon:** In a few weeks' time this government will hike the carbon tax by 50 per cent on Albertans. That means that it will again cost families more to heat their homes, again cost families more to fill up their cars, and again cost families more to buy their groceries. In return, not a single pipeline opponent has been moved from no to yes, but Albertans' bills are moving from high to higher. To the Premier: given the frail economy, why is it that you are raising the carbon tax right now?

**Ms Notley:** Well, Mr. Speaker, I will take the UCP House leader's question today, but I want to say that given what we learned today, I think the House leader needs to carefully consider his role in the House and the message the UCP is sending to women. Instead of defending a woman who complained to him about sexual harassment, two days later he fired her. This is not an allegation; this is a finding of fact. Even more troubling, today we've learned that Jason Kenney, UCP leader, is defending this action. To all women across Alberta I say that I'm very deeply sorry that this is happening amongst the leadership in this province. I will, however, also say that this government on this side of the House will stand for women's rights and for their right to be protected in their workplace.

**Mr. Nixon:** Mr. Speaker, the United Conservative Party caucus and I take harassment in the workplace seriously. We think it's a serious issue, and we will continue to stand up on the issue. As I have said outside of this House and I will say inside this House, I deeply regret some of the decisions that were made by myself and my organization while handling that human resources issue. We were very, very disappointed with what happened to Ms Harrison. It was not right then, and it is not right now.

But my question, Mr. Speaker, was about my constituents and the increased cost of the carbon tax and if the Premier will cancel her carbon tax.

**The Speaker:** The hon. Premier.

**Ms Notley:** Well, thank you very much, Mr. Speaker. Again, I will say that the member opposite needs to reconsider his position and whether or not the position of the members opposite with respect to Bill 30 under his leadership is one that Albertans can have faith in given the information that we learned today.

With respect to the matters around the carbon levy, Mr. Speaker, our government is committed to ensuring that we move Alberta forward as a responsible, sustainable energy producer. As a result, we will continue with the plan that has gotten us the pipeline approved so far to date.

**Mr. Nixon:** Mr. Speaker, the United Conservative caucus supports increased harassment legislation and making sure that we stand strong on that issue as a province and that we stand with employers who are trying to deal with those issues as well as with people that are being harassed.

But, again, Mr. Speaker, my question was about the carbon tax and the cost to Albertans, the significant increase in cost to Albertans. Will the Premier recognize that and cancel the carbon tax?

**Ms Notley:** Well, Mr. Speaker, the world is changing, and Alberta industry is very keen to work with us to lead the charge to continue to be one of the most sustainable and responsible energy producers in the country. It doesn't necessarily help, however, as I said yesterday, when the UCP Finance critic, another member of that illustrious front bench, promotes climate conspiracy theories as he did over the weekend. The fact of the matter is that our plan is investing in innovation, our plan is focused on cutting emissions, our plan is phased in over three years. All of that will ensure that we are able to succeed in getting that pipeline built.

**The Speaker:** Second main question.

#### **Carbon Levy and Charitable Organizations' Costs**

**Mr. Nixon:** Mr. Speaker, winter is already a busy time for Alberta charities. Last month Inn from the Cold in Calgary said that they have been at or above capacity since April. They've had to open their overflow shelters more than 25 times already, but the NDP government chose not to exempt charities from their carbon tax grab. To the Premier: Charities like homeless shelters provide a valuable service to vulnerable Albertans. Why is the Premier making it more expensive for them to keep the lights on?

**The Speaker:** The hon. Premier.

**Ms Notley:** Well, thank you very much, Mr. Speaker. In fact, what our government has done is a great deal of work to support a number of different nonprofit organizations. Of course, one of the things in relation to the climate leadership plan is that there is a rebate that goes to low-income families and low-income households that actually assists them with those costs. And, in fact, they end up coming out ahead because those households tend to use less carbon than others. In addition, our government has not moved forward with 20 per cent cuts to the programs that support these charities and the people that these charities work with, and that's how we are supporting them.

**Mr. Nixon:** Mr. Speaker, winter is already a challenging time for those living on the streets and a challenging time for those operating shelters. Two years ago many charities and nonprofits cited the economy as a reason for reduced donations yet higher demands for their services. The carbon tax now makes it more expensive for those charities to keep the lights on and as another tax on Albertans reduces capacity for giving to those charities. To the Premier: why are you making it harder for our charities to keep the lights on this winter?

**The Speaker:** The hon. Premier.

**Ms Notley:** Well, thank you very much, Mr. Speaker. In fact, our government created the nonprofit energy efficiency transition program, which provides a grant to nonprofits for energy efficiency audits. In addition, through Energy Efficiency Alberta we've introduced the business, nonprofit, and institutional energy savings program. Up to this point we've had 137 different organizations successfully screened to participate in the program. The fact of the matter is that we are working with all elements of the community collectively, collaboratively to help us bring down our emissions because unlike the members opposite we believe climate change is real and we need to take action to stop it.

**Mr. Nixon:** Mr. Speaker, the Calgary Food Bank says that their client numbers have rarely been higher than they are this year, 8 per cent higher than last year, but this government's carbon tax and their latest carbon tax hike make it more expensive to keep the lights on, more expensive to transport food, more expensive to buy groceries that can't be donated. To the Premier: why is this government putting a 50 per cent carbon tax on charities that provide a valuable service to vulnerable Albertans?

**Ms Notley:** Well, again, Mr. Speaker, what our government has been doing is working very closely with charities across this province to help them in the work that they do to support vulnerable Albertans. Again, it is just so contradictory and hypocritical for the members opposite to advocate for 20 per cent cuts to things like income support, health care, education, the kinds of things that support these communities and support these people, and then to talk about these issues with respect to the carbon levy. Their plan would actually create real hardship. We are standing up against that. We have the backs of Albertans, all Albertans, including women.

**The Speaker:** The hon. Member for Chestermere-Rocky View.

#### **Provincial Response to Federal Policies**

**Mrs. Aheer:** Thank you, Mr. Speaker. Equalization was on the agenda at the recent meeting of the provincial, federal, and territorial Finance ministers. Ontario's Liberal government was already vocal last week about the impact of the proposed changes for them. B.C.'s NDP government was already vocal last week about the impact of proposed federal changes for them. Alberta's government was nowhere to be seen as the Finance minister continued his tour of breweries and distilleries. To the Premier: did her Finance minister even bother raising Alberta's concerns at the recent meeting, or did she just instruct her minister to rubber-stamp the feds' changes?

**The Speaker:** The hon. Minister of Finance and President of Treasury Board.

**Mr. Ceci:** Thank you very much for the question and opportunity to speak on this, Mr. Speaker. You know, Alberta is recovering



from one of the worst downturns in a generation. At a time when revenues in this province dropped \$6.5 billion, we went to the federal government and said: there's a program there, the fiscal stabilization program, that needs to have our back. It didn't have our back. I raised that in the meeting with the ministers from across the country. We got 4 per cent of the revenues that we lost. That's inadequate, and we're going to change that.

**The Speaker:** First supplemental.

**Mrs. Aheer:** Thank you, Mr. Speaker. While Albertans are transferring billions to other provinces who obstruct much-needed resource projects that create Canadian jobs and actually contribute to overall prosperity, the Finance minister said that he was agnostic on equalization. It was not something that as the Finance minister he's focused on. That might explain why her Finance minister is more interested in going to breweries, as great as they are, than Alberta's finances. To the Premier: what did her Finance minister contribute to the discussions on equalization at the recent meeting, or is she too agnostic to take a hard look at the equalization formula and make it fair for Albertans?

**The Speaker:** The hon. Minister of Finance.

**Mr. Ceci:** Thank you very much. You know, that quote was from over a year ago, Mr. Speaker. A lot has changed in a year. There were two parties here, both on the right side, but they were here, and things have changed.

**Dr. Starke:** Still are, Joe. Still are. Still here, Joe.

**Mr. Ceci:** Good. I'm glad you're over there.

Mr. Speaker, I stood up for the views of Albertans with regard to equalization. It is a federal program. We have contributed as this province to the health of this country significantly. I stood up and I said that the FSP doesn't work. It needs to change. The floor there needs to change.

**The Speaker:** Second supplemental.

2:00

**Mrs. Aheer:** Thank you, Mr. Speaker. Well, equalization wasn't the only thing on the agenda. There were other concerns that this Finance minister could have also raised. The CFIB called on the provincial Finance ministers to raise concerns about the new federal rules on, I know, small-business taxes. They said that one of the largest tax changes for small-business owners in 40 years goes into effect in three weeks, and the federal government has provided zero detail or implementation advice to business owners or tax professionals. To the Premier: did her Finance minister raise these questions on behalf of Albertans? Premier, have you raised them with the federal government?

**Mr. Ceci:** You know, Mr. Speaker, Jason Kenney loves to tell Albertans that he will stand up for them, but the Fraser Institute report – yes, the Fraser Institute report – spells it out clearly. A rule change when he was in government, in the federal cabinet actually, hurt Alberta's interest and hurt Alberta's interest in the downturn we were just in. Jason Kenney did nothing to support Alberta when he was in cabinet. He's doing nothing now. [interjections]

**The Speaker:** Hon. members, a little of the ho, ho, ho continuum would really be helpful.

The hon. Member for Calgary-Elbow.

## Workplace Bullying and Harassment

**Mr. Clark:** Thank you, Mr. Speaker. What used to be hidden in the shadows has finally started to come to light. For far too long women who have been sexually assaulted or harassed in the workplace have been silenced or dismissed. Finally, our society is coming to terms with this injustice, and increasingly women are being heard, but it's only the beginning. To the Premier: how does the government of Alberta support women and all people who have faced harassment to seek assistance, and do you have confidence that the current process is adequate?

**The Speaker:** The hon. Premier.

**Ms Notley:** Well, thank you very much, Mr. Speaker, and thank you to the member for that very, very important and timely question. Let me say that our government knows that we have more work to do, and I look forward to being able to talk about some of the things that we will do.

I will say that going forward, should there be a change in government in a year and a half such that the UCP was in charge, I am deeply, deeply concerned about what will happen to women in this province. I am deeply, deeply concerned that almost 10 years after the member opposite was found to have fired somebody illegally for raising sexual harassment, they now come forward and say: oh, we are remorseful. I am not at all – I have no faith.

**The Speaker:** Thank you.  
First supplemental.

**Mr. Clark:** Thank you, Mr. Speaker. Now, earlier today I reviewed the respectful workplace policy that applies to government employees. My concern is not so much with the policy itself but whether there is an adequate education process to ensure that these policies are widely known and understood. Again to the Premier: will you commit to ensuring that there is a strong emphasis on education to ensure that all employees know about the protections available to them and that they can confidently come forward to report incidents of harassment and bullying?

**The Speaker:** The hon. Premier.

**Ms Notley:** Thank you very much, Mr. Speaker. Yes. I absolutely can commit to that. As a result of the ultimate passage of Bill 30, of course, there will be stronger rules in Alberta with respect to sexual harassment policies. In addition, while we already have those policies in the government of Alberta, they can definitely be stronger, and we can definitely do a better job of promoting and educating about them. Our government has already taken steps to expand that work outside the government of Alberta with the I Believe You campaign, for instance, that the minister of women's issues has dealt with, and we will . . .

**The Speaker:** Thank you, hon. Premier.  
Second supplemental.

**Mr. Clark:** Thank you, Mr. Speaker. Now, when I looked at the government of Alberta's respectful workplace policy, I was concerned to see that there is a 14- to 30-day limit to report an incident. Again to the Premier: in light of how long it can take individuals, especially women, to feel comfortable reporting harassment, will you review this limit to ensure that anyone can come forward in their own time?

**Ms Notley:** Well, indeed, we absolutely will do that. Our practice right now is to allow for complaints to come forward after that

period of time, but obviously if you've got those rules in place, people would be discouraged. So we will be changing that immediately. As well, Mr. Speaker, you'll know that we changed the law to allow for victims of harassment to file claims going back much further than they were before. That was a change that we made earlier in the session. It is fundamentally important that all members of this House understand that if people are the victims of harassment, they can complain about it, raise it, and not have to worry . . .

**The Speaker:** Thank you.

The hon. Member for Calgary-Shaw.

### **Condominium Property Regulations**

**Mr. Sucha:** Thank you, Mr. Speaker. Statistics Canada recently reported that nearly 22 per cent of Calgarians live in condos. That number is second in the country, only behind Vancouver. This shows that more and more Calgarians, including many of my constituents, have chosen to live in condos. To the Minister of Service Alberta: how will the recently announced regulations to the Condominium Property Act protect these consumers?

**The Speaker:** The hon. minister.

**Ms McLean:** Thank you, Mr. Speaker and to the member for the question. This government cares about everyday Albertans and believes that Albertans deserve to be protected when they make a purchase as large as a home. I am proud to say that we recently announced new rules that will improve protections for buyers of new and converted condominium units. These new protections will provide more information for buyers at the time of purchase, give the option to cancel a contract if the unit doesn't look like what they were promised, and protect Albertans' money by putting deposits in a trust.

**The Speaker:** First supplemental.

**Mr. Sucha:** Thank you, Mr. Speaker. While the new regulations will protect people buying a condo, to the same minister: what is the government doing to protect those already living in condos?

**The Speaker:** The hon. Minister of Service Alberta.

**Ms McLean:** Thank you, Mr. Speaker. We are currently consulting on the second phase of regulations that will address living in a condo, including condo governance. This summer we invited Albertans to open houses across the province to tell us in person how we could improve condo living. Based on what we heard, we launched an online survey to continue this important conversation. The survey also included a variety of topics, including condo governance and proxy voting. The survey closed on November 10, and we look forward to reviewing the answers to create condo regulations that will make life better for Albertans.

**The Speaker:** Second supplemental.

**Mr. Sucha:** Thank you, Mr. Speaker. Given that the proposed regulations aim to improve the quality of condo living and that we know conflicts will arise between condo owners and condo boards and given that currently the only resource for two parties is through the courts, to the same minister: what is the government doing to allow Albertans a low-cost alternative to resolve conflicts?

**The Speaker:** The hon. minister.

**Ms McLean:** Thank you again, Mr. Speaker. As part of the third phase of the regulations we are also consulting on a dispute resolution mechanism for Albertans, including the determination of a tribunal's jurisdiction and structure. Albertans want and need a more efficient and less expensive way to resolve condominium disputes than having to proceed through our court system. The dispute tribunal is intended to provide them with that alternative.

Thank you.

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

### **Postsecondary Education Funding**

**Mr. Clark:** Thank you, Mr. Speaker. NDP fiscal mismanagement has come home to roost. After two years of promising stable funding, yesterday we learned that the Minister of Advanced Education has given Alberta postsecondary institutions just two weeks to come up with cutbacks, cuts that will directly harm Alberta students' futures. To the Minister of Advanced Education: why now? What frills and optional extras do you think our universities and colleges have today that they didn't have before?

**The Speaker:** The hon. Minister of Seniors and Housing.

**Ms Sigurdson:** Thank you very much, Mr. Speaker. Certainly, our government is carefully and responsibly finding cost savings while increasing front-line support for students. I certainly appreciate along with the Minister of Advanced Education the important work that postsecondary institutions do. There is certainly leading-edge work done on campuses, and every single day we're very proud of the work they do. We're supporting them with a 2 per cent investment and, certainly, are working very closely with them at this time.

**Mr. Clark:** Mr. Speaker, the timing of this request is absurd. Given that the adult learning review is more than a year overdue, it's insulting to give these institutions only two weeks to respond. Again to the Minister of Advanced Education: how do you know that the cuts will be targeted in the right areas if you don't have a proper strategy, and will we ever see the results of the adult learning review?

**The Speaker:** The hon. minister.

**Ms Sigurdson:** Well, thank you very much, Mr. Speaker. Not only is our government making education more affordable by extending the tuition freeze for another year; we're also providing universities with backfill funding. We're working closely with institutions across this province to make sure that they are supported and that there is affordable education for the students of Alberta. Two hundred and fifty thousand students save an average of \$1,500 each because of the tuition freeze. We're certainly working very closely with advanced education.

**Mr. Clark:** Mr. Speaker, this is incredibly frustrating. Given that the government told us for the longest time that cuts were irresponsible and given that instead of prudent fiscal management from the very beginning you chose to rack up huge amounts of debt but, as always happens, you hit the wall and given that you created an expectation that money is infinite but now you realize that money actually has to come from somewhere, again to the Minister of Advanced Education: which programs will be cut, and which students will have their education compromised by your poor planning?

2:10

**The Speaker:** The hon. minister.

**Ms Sigurdson:** Thank you very much, Mr. Speaker. I'll just reiterate that our government is carefully and responsibly finding cost savings. We're working with the postsecondary institutions to do that. We want to make sure that education is affordable for students in this province, and we want to make sure that postsecondary institutions have the support to be able to offer the world-class programs that they do. We're working very closely with them, and we're proud of what we're doing in this sector.

Thank you.

#### Conklin Industrial Landfill Site Application

**Mr. Yao:** Mr. Speaker, the residents in the hamlet of Conklin are concerned that their voices are not being heard by this government regarding a proposed industrial landfill only two kilometres from their community and Christina Lake. Part of the reason for the concern stems from the fact that, although public meetings have been held, there's been one hundred per cent opposition to this proposed landfill. To the minister of environment: what percentage of constituent opposition is required before this government takes notice and makes a decision on this site, or do you care?

**The Speaker:** The hon. Minister of Environment and Parks and climate change.

**Ms Phillips:** Well, thank you, Mr. Speaker. I did have the privilege of meeting with the hon. member's constituents on this matter and the regional municipality of Wood Buffalo, and they did share their concerns about this particular application for an industrial landfill. Those concerns have been heard, and we will be in touch with the constituents on the various options that are open to them. Certainly, our government is open to hearing from communities around large projects, and we will continue to do so.

Thank you.

**Mr. Yao:** Mr. Speaker, considering that the site this landfill is planned for impinges on an area that has historic and traditional land use for the Conklin Métis, including harvesting food and culturally important roots and medicines, and considering that there has already been a decline in the traditional uses of land around Conklin, to the minister: why are you delaying this decision? What is the delay?

**The Speaker:** The hon. minister.

**Ms Phillips:** Well, thank you, Mr. Speaker. I can assure the hon. member that the regulatory process is moving forward as it should. It will unfold in due time, in the fullness of time to ensure that we have heard from all of the affected community members, including the appropriate indigenous consultation.

Thank you.

**Mr. Yao:** Mr. Speaker, this government has a lot of plans for land around this small community, including processing an application for an oil sands site. Considering that such development could increase local growth in the area but that the addition of an industrial landfill next to town could discourage new settlement into that community in favour of more commuting, to the minister: is your objective to promote commuting over rural growth and development?

**The Speaker:** The hon. minister.

**Ms Phillips:** Thank you, Mr. Speaker. I'm not exactly sure how the hon. member's constituents are served by this kind of line of questioning. The fact of the matter is that there is a regulatory application in place. I have heard from the communities, certainly. There is a regulatory process in place so that all community members can be heard. What doesn't help is undermining the confidence in the regulatory process. I'm not sure how the hon. member thinks that regulatory processes unfold, but it's certainly not how he has characterized it.

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

#### Carbon Levy and Energy Industry Investment

**Mr. Loewen:** Thank you, Mr. Speaker. Yesterday the environment minister said "the Prime Minister approved two new pipelines, [and] he explicitly said that it was on the strengths of Alberta's climate leadership plan." Of course the PM said that, because he wants to increase the carbon tax. He's selling the same failed social licence scheme that the NDP is. This government continues to deny the damage it is causing to Alberta's economy. Well, the truth is clear. Two cancelled pipelines, and large corporations are fleeing Alberta. The climate leadership plan is leading all right, leading investment away from Alberta to other jurisdictions, and this government keeps piling it on with caps, taxes, and red tape. When will this government stop holding Alberta's economy down?

**The Speaker:** The hon. Minister of Environment and Parks.

**Ms Phillips:** Thank you, Mr. Speaker. Of course, hardly a day goes by without another piece of economic good news coming to Alberta, you know, new investments in the oil and gas sector. I'm looking over and seeing folks who are looking a little glum today, but let me give you some good news: \$30 billion of new investment in the Duvernay area, including in the Rimbey-Rocky Mountain House-Sundre area, where people are being put back to work. This is because we have created a stable investment climate, and as the price of oil recovers, so too does the economy. It doesn't help when the Conservatives talk Alberta down.

**Mr. Loewen:** Given that any increase in activity in the oil and gas sector is a result of increased oil prices and given that the NDP said over and over again that they do not control the price of oil – so, therefore, they can't take the blame for losses from it and therefore cannot take the credit for any economic benefit from the rise in prices – and given that the minister claims that companies buying out each other is new investment in Alberta when really it is just recirculation, will the minister come clean with Albertans and admit that her climate plan is destroying investor confidence and that the government's numbers are just a shell game?

**The Speaker:** The hon. minister.

**Ms Phillips:** Well, thank you, Mr. Speaker. Of course, our government's approach to the royalty review resulted in a large increase in drilling at a time when Albertans needed to be put to work the most in the oil and gas sector. The fact of the matter is that the Conservatives and certainly Mr. Kenney would take us back to the boom-and-bust cycle. That's not what Albertans are looking for. They're looking for diversification. They're looking for good jobs in the oil and gas sector. They're going to get both from this government.

**Mr. Loewen:** Given that the minister said that Cenovus Energy has doubled production and that realistically this was just the addition

of the production of the company it bought out, not new production, and given that Cenovus and other investors have cancelled projects – one company said about the cancellation that, quote, the project is further burdened with regulatory uncertainty around the climate leadership program and its potential impacts on the project, from carbon tax to the emissions cap, end quote – and given that the projects that are coming online now are projects planned and started before this government was in power, will the minister just admit that the NDP plan is a failure and cancel her economy-killing climate plan?

**The Speaker:** The hon. minister.

**Ms Phillips:** Well, thank you, Mr. Speaker. Of course, only a Conservative with a loose grasp of the facts would try to allege that nation-leading economic growth, both this year and next year, is something to be ashamed of. We are not ashamed of the kind of growth that we are seeing here in Alberta. We are seeing 4 per cent growth. We are seeing tens of thousands of new jobs. If the members opposite want to continue to wave their pom-poms and cheerlead for Alberta's demise, we on this side of the House are going to celebrate the growth of this province and the tremendous number of new jobs that are being created as a result of our work.

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

### Rural Crime

**Mrs. Pitt:** Thank you, Mr. Speaker. Albertans remain profoundly disappointed by this government's behaviour when it comes to the serious problem of rural crime in Alberta. On November 17 in rural Airdrie three people assaulted a homeowner with bear spray, stealing his property. On November 23 two people broke into a residence just west of Airdrie. Crime is escalating and not just in my community but all across this province. On November 27 more than a hundred Albertans spent their time and resources to travel to this Legislature in hopes of watching their MLAs in an emergency debate to consider solutions. Minister, do you have any regrets for not holding that emergency debate? Yes or no?

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

**Ms Larivee:** Thank you, Mr. Speaker. I know that Albertans are concerned about rural crime, and we are, too. We're working with our police partners to reduce crime in rural areas, including through the Alberta RCMP's crime reduction program. One of the initiatives that's part of this program is the new integrated crime reduction unit in central Alberta. That unit has already led to the arrest of three individuals, and those individuals were responsible for roughly 300 calls to the RCMP prior to their arrest.

**Mrs. Pitt:** Mr. Speaker, given that the NDP had the nerve to say about the motion for emergency debate, "Whether or not it's serious or even extremely serious is not the question; the question is: is it an emergency happening now, or is it something that's happened over a longer period of time," and given that an emergency is still an emergency if it has been happening over a long period of time and given that the problem is only getting worse and given that Albertans are desperate for solutions, Minister, when we return home to our constituencies, what explanation should we give to our frightened constituents?

**Ms Larivee:** Mr. Speaker, we certainly are all confined to the rules around how this House is conducted; that does not change that we take rural crime incredibly seriously. ALERT is a key part of an

integrated province-wide response to serious and organized crime, and it works with smaller rural communities to share intelligence and help stop rural crimes. For example, in the MLA for Cypress-Medicine Hat's community ALERT's month-long operation led to 20 individuals being charged with drug-related offences and 29 individuals charged with stolen property offences, including over a dozen vehicles. We will continue to support our police partners to reduce crime in rural areas, a concern that we continue to take very seriously.

2:20

**The Speaker:** Second supplemental.

**Mrs. Pitt:** Thank you, Mr. Speaker. Given that rural Albertans feel stifled by this NDP government, including those in NDP ridings, given that business owners are sleeping in their shops out of fear at night, given that Albertans are setting up and meeting in town halls to discuss possible solutions, given that law enforcement agencies are proactively encouraging crime prevention techniques like the 9 p.m. routine in Airdrie and Edmonton, Minister, it's clear there is a problem that Albertans are eagerly trying to fix. What specifically are you doing to address their concerns? What you're doing right now is certainly not working.

**The Speaker:** The hon. minister.

**Ms Larivee:** Thank you, Mr. Speaker. Our police officers are hard-working, dedicated, caring individuals who leave their homes every day to protect Alberta families. That's why we continue to work with them, to listen to our police forces and Albertans to reduce crime. The RCMP have told us that reducing crime in Alberta cannot be achieved through policing alone. They've told us that we need a co-ordinated approach. That's why we're also investing in mental health supports and addiction services, to break the cycle of crime in this province.

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

### Energy Efficiency Initiatives

**Dr. Turner:** Thank you, Mr. Speaker. The Larch sanctuary at the confluence of the Whitemud and Blackmud creeks is in my constituency. The sanctuary is protected by Edmonton's first conservation easement and is a collaboration between landowners, the city of Edmonton, and the Edmonton and Area Land Trust. It's a prime place to connect with nature. Melcor has developed Larch Park, a community of net zero homes, a construction waste recovery program, LED street lights, and a community garden. To the Minister of Environment and Parks and minister responsible for the climate change office: what programs does your ministry operate that would foster more examples of this type of sustainable development that contributes to climate leadership?

**The Speaker:** The hon. minister.

**Ms Phillips:** Well, thank you, Mr. Speaker. In support of the climate leadership plan, in October 2016 the government of Alberta updated seven building codes. We did this because emissions from Alberta houses and buildings are responsible for about 19 megatonnes of greenhouse gas emissions, or about 7 per cent of our overall emissions profile. The National Research Council Canada estimates that switching to even just energy efficient windows can save homeowners about 18 per cent on their heating costs. Changes to the building code and some of the incentives that we have put forward as part of Energy Efficiency Alberta help homeowners and

businesses permanently reduce their energy use and their monthly utility bills.

**The Speaker:** First supplemental.

**Dr. Turner:** Thank you. Given that another current example of inspired redevelopment by the private sector here in Edmonton is the new La Maison Simons store in Londonderry, which has solar panels on its roof and an innovative parking structure with solar panels that leads to an electric vehicle charging station, to the same minister: how can our government foster more of this sort of environmentally responsible business development in Alberta?

**The Speaker:** The hon. minister.

**Ms Phillips:** Well, thank you, Mr. Speaker. How the climate leadership plan is proceeding is that we are taking the price on pollution and reinvesting it into the world we want, and part of that world is solar PV. We are doing so on farms, we are doing so in indigenous communities, and we are doing so in the commercial sector. For example, the Simons system that we see at Londonderry in the hon. Member for Edmonton-Decore's riding will generate 55,000 kilowatt hours per year of solar power. That project alone created 300 jobs. Those are good jobs that the folks across the way would eliminate.

**The Speaker:** Second supplemental.

**Dr. Turner:** Thank you again. As I said in my member's statement, many of my constituents have signed up for the efficiencyalberta.ca programs. Can the minister give the House plans for this program in 2018 and '19?

**The Speaker:** The hon. minister.

**Ms Phillips:** Well, thank you very much, Mr. Speaker. We're very pleased that Energy Efficiency Alberta has been able to reach so many Albertans and find ways for everyone to be able to reduce their utility costs, whether it's on farms or in small businesses or in indigenous communities. Also schools, municipalities, and businesses both large and small have benefited from these programs. Alberta was the last jurisdiction in North America to adopt energy efficiency programming, and we will be moving forward with even more of these programs in 2018-2019 as we move the economy forward, as we diversify the economy, and save people . . .

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

The hon. Member for Drayton Valley-Devon.

### Social Studies Curriculum

**Mr. Smith:** Thank you, Mr. Speaker. I had the opportunity to go down to Calgary-Lougheed on Friday to door-knock, something I know the Minister of Education has done recently, and during my time door-knocking, I happened to meet a social studies teacher. This teacher expressed serious concerns about the new social studies curriculum. They are troubled that the new material does not include enough historical knowledge or content for the students to make informed decisions, yet the government is asking them to be activists. To the minister: how can you ask our children to become activists when you're not providing them with the context and the knowledge to make their own decisions?

**The Speaker:** The hon. Minister of Education.

**Mr. Eggen:** Thank you, Mr. Speaker. I'm certainly very proud of the curriculum work that we're doing in all subject areas, in all grade levels over the next five years. The work that we're doing is foundational at this moment, and certainly we have perhaps the biggest interaction with not just teachers and those working groups but the general society as well, including banks and energy institutions and forestry, 4-H clubs, you name it. We're building a curriculum that reflects who we are as Albertans in 2017. I'm very proud of that work, and so are the thousands of Albertans who are contributing to that work.

**The Speaker:** First supplemental.

**Mr. Smith:** Thank you, Mr. Speaker. Given that this teacher also expressed concern that the new social studies curriculum lacks the chronological information about historical influences and events required to understand the context of any major historical event and given that this contextual information is foundational to studying and understanding history and social studies, again to the minister: why is this basic foundational information being left out of the current rewrite of the social studies curriculum?

**The Speaker:** The hon. minister.

**Mr. Eggen:** Well, thank you, Mr. Speaker. Certainly, as a social studies teacher myself – and the member opposite is as well – we know that it's important not to make conclusions based on one, single person talking about the social studies curriculum, which is not even written yet. Certainly, we know that we're going to have a very strong foundational work in history. We know that you cannot study the present and the future without knowing what happened in the past. I mean, that's part of the reason that Albertans chose to have a new government, because they knew that 44 years of conservatism just was not bringing the sort of diversification in the economy that we need to prosper in the future.

**The Speaker:** Second supplemental.

**Mr. Smith:** Thank you, Mr. Speaker. Given that we've now heard concerns about this curriculum rewrite from thousands of parents and that we are now beginning to hear this same message from teachers as well, not just one, and given that the NDP's by-election candidate characterized these concerns as constant misinformation and melodrama, again to the minister: do you stand with concerned parents and teachers or with your candidate and his disrespectful comments?

**Mr. Eggen:** Well, you know, Mr. Speaker, I think that Jason Kenney and his distortion of the idea of how we're building our history curriculum is anything but thousands of Albertans. We know that 35,000 Albertans contributed to the first round of building our curriculum, and we will continue in the spirit of building with history, critical thinking, and a respect for tradition and culture in this province. The UCP are scared of critical thinking because once people achieve that goal, then they certainly won't believe a single word that these people are saying.

**The Speaker:** The hon. Member for Grande Prairie-Wapiti.

### Lyme Disease

**Mr. Drysdale:** Thank you, Mr. Speaker. One of my constituents paid to go to the United States to get tested for Lyme disease. The test came back positive, but now she's fighting to find a doctor who will treat her in Alberta. She's become desperately ill, and she has considered travelling to B.C. or the U.S. for treatment. To the

Minister of Health: will you confirm that Lyme disease is present in our province and taking a toll on the health of Albertans?

**The Speaker:** The Associate Minister of Health.

**Ms Payne:** Thank you, Mr. Speaker and to the member for the question. I would encourage the member to reach out to our office, to our MLA contact about the specifics of his individual constituent's case as we don't discuss individual health concerns in this Chamber.

Thank you.

**The Speaker:** First supplemental.

**Mr. Drysdale:** Thank you, Mr. Speaker. Given that the test administered in Alberta does not provide definitive results, yet a better one exists and is used in other jurisdictions, and given that the minister has previously confirmed that ticks carrying Lyme disease exist in Alberta and that she certainly knows that Albertans are also contracting it elsewhere, to the minister: why are Albertans not able to receive proper diagnosis and treatment in their own province for this debilitating infection?

2:30

**The Speaker:** The associate minister.

**Ms Payne:** Thank you, Mr. Speaker and to the member for the question. Our government makes decisions about which tests are and are not available upon the advice of doctors and the medical experts. I will certainly, as I said, be happy to follow up with the member about the particular question.

That said, I would also encourage any Albertans to be mindful of ticks and to follow the advice that is available through the Alberta Health website. Further, if you ever have any concerns about your health condition or any potential health concerns, I would really encourage Albertans to reach out to Health Link or their family doctor. You can reach Health Link by calling 811 and speak to a registered nurse.

**The Speaker:** Second supplemental.

**Mr. Drysdale:** Thank you, Mr. Speaker. Given that my constituent told me that there's one doctor in Alberta who treats chronic Lyme disease but he has hundreds of patients and is not taking any more and given that forcing Albertans to seek treatment in other jurisdictions creates a two-tiered health system, to the minister: can you confirm that only one specialist treats chronic Lyme disease in Alberta, and if there are more, why won't someone in Alberta Health help my constituent to find one?

**The Speaker:** The hon. minister.

**Ms Payne:** Thank you, Mr. Speaker and again to the member for the question. As I said earlier, we'd be happy to connect with him about his particular constituent's concerns. Further, any Albertans who have any questions about treatment or concerns about a particular disease should talk to their family doctor for a referral. Additionally, they can reach out to Health Link and have their symptoms evaluated by a registered nurse and receive recommendations for next-steps treatment.

**The Speaker:** The hon. Member for Calgary-West.

#### Police Preparedness for Cannabis Legalization

**Mr. Ellis:** Thank you, Mr. Speaker. Canada is just seven months away from legalizing marijuana. Many provinces and police,

including the Canadian Association of Chiefs of Police, are urging Ottawa to delay legalization because their enforcement services do not have time to properly train officers. To the Minister of Justice: what are Alberta's police services telling you about their ability to be prepared for July 1?

**The Speaker:** The hon. minister

**Ms Larivee:** Thank you, Mr. Speaker. Again, I have to say that our government's key priorities for cannabis legalization have been working with our partners to keep cannabis away from children, to keep profits away from criminals, and to protect our roads, workplaces, and public spaces. We continue to be committed to working with our police services to ensure that we can achieve those objectives together. We're very thankful for the relationship we have with the people who work so hard to keep our communities and our homes and our roads safe.

**Mr. Ellis:** I'm talking about preparation, Minister.

Given that Albertans are naturally concerned about the potential of more drug-impaired drivers on the roads as of July 1 and given that Alberta will need many more police officers trained as drug recognition experts to perform specialized impairment testing, again to the minister: how many drug recognition experts does Alberta have today? Minister, you should be able to provide a number for this question.

Thank you.

**The Speaker:** The hon. minister.

**Ms Larivee:** Thank you, Mr. Speaker. Once again, we take the safety of Albertans very seriously. That's why we continue to work with our partners. We'll continue to have conversations with them and to work with them to identify what resources they need and what the challenges are. We'll move forward together to implement a plan to ensure that as cannabis becomes legal, we are able to keep our roads safe, keep our children protected, and keep money from getting in the hands of criminals.

Thank you, Mr. Speaker.

**Mr. Ellis:** Albertans want answers to these questions, Minister.

Given that it takes time to train officers for this highly specialized work and they have to travel to the United States to receive it and given that Ontario estimates it will need double the number of drug recognition experts, which means that Alberta is facing a similar scenario, and these experts will be needed throughout our province, to the minister: how many trained drug recognition experts will be accessible to all police services throughout Alberta on July 1?

**Ms Larivee:** Mr. Speaker, once again I'll reiterate what I said earlier. Our police officers are hard-working, dedicated, caring individuals. We're very thankful for the sacrifices they make in leaving their homes every day to protect our families. We, again, work with our police forces in order to keep Albertans safe, and we'll continue to trust their expertise and to work with them to ensure that they have the resources they need as we go forward.

**The Speaker:** The hon. Member for Calgary-Greenway.

#### Carbon Policies

**Mr. Gill:** Thank you, Mr. Speaker. We have a standoff in Alberta. The NDP says that its new emissions regulations won't cause Alberta's energy sector any problems, but professionals in the industry such as Imperial Oil say, quote: there's no question that

any increased costs on industry impact competitiveness, especially in the current challenging overall business environment. End quote. To the minister of environment: can you tell us for the record who is not telling the truth? Both of you cannot be right.

**The Speaker:** The hon. Minister of Environment and Parks.

**Ms Phillips:** Well, thank you, Mr. Speaker. Of course, the output-based allocations system that was announced last week that will replace the specified gas emitters regulation starting in January was the result of two years of very careful consultation work with industry, not just in the oil sands but across the economy, in petrochemical upgrading, in fertilizers, cement, other forms of mining. The system is actually designed to protect jobs, to ensure that our trade-exposed industries remain vibrant and competitive in this province, and we expect that to happen.

**The Speaker:** First supplemental.

**Mr. Gill:** Thank you, Mr. Speaker. Given that this NDP government is insisting on increasing the carbon tax despite our fragile economy and high unemployment, especially in our two largest cities, and given that this government is trying to slip in the hike in the carbon tax quietly over the holidays, Minister, why are you not letting Albertans know that they should brace for a 50 per cent increase in the carbon tax with zero net gain?

**The Speaker:** The minister.

**Ms Phillips:** Well, thank you, Mr. Speaker. Of course, only Jason Kenney's Conservative caucus would cheer for Alberta's demise. Only Jason Kenney's Conservative caucus would characterize two pipeline approvals as not being a net gain for this province. The thousands of people that are getting back to work in the oil and gas industry know better. Of course, the way that we are pricing carbon at our large industrial facilities, in our oil sands facilities is part of making sure that we move this province forward in a way that prices carbon in a way that is intelligent, that is thoughtful, and that recognizes that climate change is real.

**The Speaker:** Second supplemental.

**Mr. Gill:** Thank you, Mr. Speaker. Minister, this is the biggest failure of a tax in Alberta history. Given that this NDP government has the opportunity to perform a nice deed this Christmas by cutting the carbon tax and given that this tax hasn't performed the task the NDP claimed it would – that is, buying social licence for pipelines; not a single pipeline opponent has been moved from no to yes, not a single opponent – Minister, why are you continuing with this tax increase, knowing that seniors will have to pay more to heat their homes this winter? [interjection] I know your caucus member thinks it's funny. It is not funny.

**Ms Phillips:** Mr. Speaker, this is just another set of questions that are designed to essentially cast doubt on whether we can trust what the Conservatives say. Here's what some folks are saying about the veracity of some of the statements that come from across the House: "Mr. Kenny seems to be making exaggeration and rhetorical overreach an art form. There is hardly a speech or even a comment" – I would add "a question" – "from this caucus that doesn't include a fact that has to be given a deep muscle massage." That's what we've come to expect from these Conservatives.

### Trades Career Preparation for High School Students

**Ms McKittrick:** Well, Mr. Speaker, we've finally reached the last question. This morning I took part in a ceremony at the North West refinery celebrating the first barrel of diesel oil that was produced there. As our economy recovers, it's important for our education system to prepare young people to be those tradespersons who are working in our economy. One of the most important things that our education system does is to prepare students. To the Minister of Education: what program exists in the K to 12 education system to help students transition into the trades?

**The Speaker:** The hon. Minister of Education.

**Mr. Eggen:** Thank you, Mr. Speaker. Certainly, we've been working hard over the last two and a half years to make sure that we increase our reach into dual-credit programming. We've brought in \$16 million in order to have more dual-credit programming so that kids can go and get trades training and then get college credit for that as well. We have the registered apprenticeship program. We have the green certificate program, which we are now fully financing for students to be working in agriculture. So, yeah. We reach across to make sure that kids are getting the widest, most balanced education possible to prepare them for our future economy.

**Ms McKittrick:** Mr. Speaker, I have heard that the number of women entering the trades has plateaued. This morning at NWR I was pleased to support them in their partnership with Women Building Futures, that encourages young women to go into the trades. Again to the Minister of Education: what are you doing to ensure that girls know that they can pursue a career in the trades?

2:40

**Mr. Eggen:** Certainly, Mr. Speaker, we've been working hard, again, with the registered apprenticeship programs and so forth and also with industry. I know that a couple of weeks ago I went out to Dow in Fort Saskatchewan. They have very strong programming to ensure that women are being hired in trades and in these professions. You know, we have to make sure that we are always providing confidence and programming in high schools. When I was in Centennial high school yesterday in Calgary, they talked about the importance of career and technology studies to help prepare young women to work in a wide variety of future careers.

Thank you.

**Ms McKittrick:** Given that the career and life management program in high school is meant to help students learn about the possibilities for career development, again to the Minister of Education: how will the curriculum review ensure that students have the information that they need to make decisions about their future careers?

**Mr. Eggen:** Thank you so much for the question. Mr. Speaker, it's very important that we are always upgrading and updating our curriculum. We have some areas that are more than 30 years old. As I said before, the curriculum has to not just reflect the composition of who we are as Albertans but make sure that we're catching a point of interest so that students are engaged in their studies every step of the way and can see the continuity of study from year to year. We're working very hard to do that. We're engaging with literally tens of thousands of Albertans in that enterprise, and we're very proud of that.

The opposite correlation to that, of course, is that if you make deep cuts to education, then you get none of the above.

### Tabling Returns and Reports

(continued)

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

**Mr. van Dijken:** Thank you, Mr. Speaker. I rise to table the requisite number of copies of a letter I received and referred to last night in discussions on Bill 30 from the Alberta Roadbuilders & Heavy Construction Association with concerns at the speed at which Bill 30, introduced on November 27, is moving through the Legislature.

**The Speaker:** Hon. member, we'll just wait for about 10 seconds, and then we'll continue.

The hon. Member for Edmonton-Decore.

**Mr. Nielsen:** Well, thank you, Mr. Speaker. I rise today to table five copies of section 35 of Occupational Health and Safety. I was assured by the Member for Rimbey-Rocky Mountain House-Sundre that the right to refuse unsafe work was enshrined, and I was dismayed to find out that it was not. I table those five copies.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

**Mr. Cyr:** Thank you, Mr. Speaker. I mentioned in my Bill 33 speech effective representation, and I needed to table a kitchen table talk, Effective Representation, an article that was created by myself and seven other MLAs.

Thank you, sir.

**The Speaker:** I believe that we had one point of order today.

The hon. Government House Leader.

### Point of Order

#### Reflections on a Decision of the Assembly

**Mr. Mason:** Yes, Mr. Speaker. During question period the Member for Airdrie put some questions to the Minister of Children's Services with respect to a decision of the Assembly. It was purported that this had to do with rural crime, but the first question and I believe the first supplemental, at least, had to do with a decision of the Assembly with respect to a request from the Official Opposition for an emergency debate.

Now, according to Standing Order 23:

A Member will be called to order by the Speaker if, in the Speaker's opinion, that Member

- (f) debates any previous vote of the Assembly unless it is that Member's intention to move that it be rescinded.

In the *House of Commons Procedure and Practice*, chapter 13, rules of decorum, on page 617 it says:

Members may not speak against or reflect upon any decision of the House. This stems from the well-established rule which holds that a question, once put and carried in the affirmative or negative, cannot be questioned again.

Mr. Speaker, you yourself have ruled on this matter on May 9 of this year.

I also will read from *House of Commons Procedure and Practice* on the question of questions, Mr. Speaker, on page 502. It says:

In summary, when recognized in Question Period, a Member should:

- ask a question;
- be brief;
- seek information; and

- ask a question that is within the administrative responsibility of the government or of the individual Minister addressed.

In more general terms, Mr. Speaker, it's been held that question period affords the opposition and private members an opportunity to ask questions with respect to government policy and certainly with respect to matters relating to rural crime and others. If it was limited to that, that would be within the area of government policy. However, demanding that the minister account for a decision of the House with respect to her request for an emergency debate is clearly outside of the rules of this place for question period. I would hope that you would so rule and in the future intervene so that these questions cannot be repeated in the House.

Thank you.

**The Speaker:** Hon. Government House Leader, you referenced a May 9 decision of this year. Could you elaborate on that?

**Mr. Mason:** I can read it to you, Mr. Speaker.

I cite Standing Order 23(f) and page 617, *House of Commons Procedure and Practice*: "Members may not speak against or reflect upon any decision of the House." In other words, an allegation or question concerning how a member has voted is offside.

The House has made a decision on the matter. I believe there was a point of order in this situation, and I would caution again all members to – it may be good politics at times to do that, but respect and honour in this House is [to be] determined by each of us.

That was on May 9, 2017.

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

**Mr. McIver:** Well, thank you, Mr. Speaker. I appreciate the opportunity to rise on the point of order. I would say through you to the Government House Leader that the answer resides within the hon. Government House Leader's question. Standing Order 23(f) says – and I will repeat it because even though the hon. Government House Leader said it, it's important to hear it right now:

debates any . . . vote of the Assembly unless . . .

Unless.

. . . it is that Member's intention to move that it be rescinded.

That is exactly what the member suggested to do. They can remember that as part of her question she said that the emergency is not over, the suggestion being that the government can still rescind it.

Mr. Speaker, as further evidence to this I would draw your attention to questions that our hon. House leader has asked in the last few days, where he has more than once, I believe, asked the government to rescind that decision. It's still the opposition's opinion, and it holds true that it's still an emergency. We would still want the government to rescind that decision and allow the emergency debate on rural crime because it's still an emergency. That was indeed what the hon. Member for Airdrie was suggesting. As such, I believe that there is no point of order here.

**The Speaker:** Hon. Member for Calgary-Hays, could you say again the rescinding action that you're suggesting? Could I ask that you elaborate a little bit more on what you mean by that?

**Mr. McIver:** Well, Mr. Speaker, it's our opinion that the hon. House leader, I believe, in the last few days has actually asked questions. He was asking the government if they'll change their decision on not allowing the emergency debate on rural crime. Rural crime is rampant. It's my assessment that the hon. Member for Airdrie today was actually suggesting that the government does



rescind that decision and allow the emergency debate on rural crime. I believe she made it quite clear in her question that it is still an emergency and it's still ongoing, the suggestion being that the government ought to rescind that decision. I think that's entirely within the bounds of what 23(f) suggests is acceptable. Consequentially and, I hope, respectfully, I would suggest to you that it wasn't a point of order.

2:50

**The Speaker:** Hon. members, is there any other additional information?

**Dr. Starke:** Well, Mr. Speaker, there is a basic problem here. The request to rescind the decision is not the government's decision; it was your decision. Now, it just so happens that I disagreed with it. Nonetheless, we can't be asking you to rescind the decision. There's no way to move a motion to rescind a Speaker's decision. While the argument that the Member for Calgary-Hays puts forward is true if it was a decision by the government – and trust me, they've made a number of lousy ones – but in this particular instance that was your decision, no doubt influenced by the arguments made by the Government House Leader at the time; nonetheless, that was your decision. So there would be no motion of rescinding here.

I would like to point out, though, Mr. Speaker, that in this regard there are lots and lots of references made in speeches all the time about past votes and past members and past results of those. We hear it regularly when we're told: well, if you vote against the budget, you're voting against teachers and you're voting against nurses. Of course, that's balderdash. You know, in terms of referring to past votes and that sort of thing, that's a slippery slope. But in this particular instance where the question is only in order if it's calling for a rescinding of a decision that's been made by the House, I'd be fine if it was the House that made the decision, but in this case you made the decision. We can't call for your decisions to be rescinded unless you decide to reverse them.

Well, I'll leave that up to you as to whether you decide to make that decision.

**The Speaker:** Thank you.

Let me just share the Blues. This is the statement made by the Member for Airdrie.

On November 27 more than a hundred Albertans spent their time and resources to travel to [the] Legislature in hopes of watching their MLAs in an emergency debate to consider solutions. Minister, do you have any regrets for not holding that emergency debate? Yes or no?

I believe there may have been an additional reference to an emergency debate in the first supplemental.

Let me also share a small part of the November 27 ruling, that the Government House Leader and the Member for Vermilion-Lloydminster – that, in fact, it was I who dealt with the matter. And I will quote:

Accordingly, I do not find the request for leave in order, and the question will not be put.

Had this matter have been dealt with in a more historical sense rather than more recently, I may have been persuaded that a different decision should result. Nonetheless, I believe in this instance that there is a point of order, and I would ask that the Member for Calgary-Hays withdraw the comment on behalf of the Member for Airdrie.

**Mr. McIver:** Mr. Speaker, as you have ruled, I on behalf of the member will withdraw the comment that you found to offend the point of order.

**The Speaker:** Thank you.

## Orders of the Day

### Government Bills and Orders Committee of the Whole

[Ms Jabbour in the chair]

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

#### Bill 30

#### An Act to Protect the Health and Well-being of Working Albertans

**The Chair:** Are there any questions, comments, or amendments with respect to this bill? The hon. Minister of Labour.

**Ms Gray:** Thank you very much, Madam Chair. I'm very proud and pleased to be able to speak to Bill 30, An Act to Protect the Health and Well-being of Working Albertans, at Committee of the Whole. Bill 30 is long overdue. Bill 30 would continue our work to keep workers healthy and safe and to make sure that sick or injured workers get the supports they need to get healthy and return to work.

The Occupational Health and Safety Act was first enacted in 1976, and it has not had a significant update since. The last comprehensive review of the Workers' Compensation Act was more than 15 years ago. With this bill our government intends to make good on the basic foundation of health and safety and workers' compensation rules in Alberta, rules that have been left untouched for far too long. We will make sure that workplaces are safer, healthier, and free from bullying, harassment, and sexual harassment.

Since the 1970s legislators have been told that all workers need three basic rights, the three Rs: the right to know, the right to refuse, and the right to participate. Madam Chair, I'm so proud today to say that if passed, Alberta's workers will finally have all three of those rights enshrined clearly in our law.

Albertans will also know what their obligations and duties are. Whether you are an employer or a worker, a contractor or a supplier, your obligations would now be clear.

If passed, Bill 30 will also make important changes to the way Albertans are treated within the WCB. Of course, we will do everything we can to keep workers safe through education, participation, training, and prevention. Unfortunately, some workers still get hurt, and sometimes tragedy strikes and families lose a loved one on the job. When that happens, we need to make sure our WCB system is there: that it's there, that it's compassionate, accessible, focused on supporting injured workers and the families of workers that have been impacted by tragedy.

There has been much debate on the bill so far, and I'd like to, through these opening comments, address a few of the questions and comments I've heard, and then I look forward to continued debate in Committee of the Whole.

I've heard quite a few comments during second reading about consultation, and I would like to state for the record that there were significant amounts of consultation done on Bill 30, not just on the WCB side but on the OHS side as well.

We launched the OHS review in the summer, and I was very pleased to see the response from Albertans on that review. Alberta Labour received more than 1,300 online survey responses, nearly 90 written submissions, and conducted eight in-person round-table discussions with more than 200 in-person stakeholders across Alberta. Our government consulted with a range of Albertans,

including employers, workers, labour groups, municipalities, health and safety technical experts, and safety associations. These included face-to-face meetings, where we had an opportunity to hear ideas and take different views into account. Beyond that, we also consulted with our OHS officers and staff, the amazing folks who are on the front lines, making sure that workplaces across the province are meeting proper safety standards. A total of 141 staff were consulted, and feedback from the session was compiled and fed into the changes proposed in Bill 30.

On the WCB side an independent panel completed the 18-month review of the WCB in June of 2017 to ensure that the system continued to supply Albertans and it continued to remain sustainable and affordable. The panel's recommendations for our workercentric system were posted online July 6, 2017, and Albertans had until September 30 to provide feedback. On the WCB there were two rounds of consultation and feedback gathering. By the end of the panel process the panel received more than 1,700 questionnaires, 200 written submissions, 67 workbook responses. Over 60 responses were submitted in response to the panel's report as well: lots of consultation, lots of opinions, and lots of Albertans who participated. The WCB review panel members did a lot of work to consult with Albertans as well, and we are moving forward with positive changes.

3:00

I also wanted to address the costs of implementing changes to the WCB system, as the members opposite have spoken about. To be clear, these costs will not be passed on to employers in 2018 through an increase to premiums. In fact, the WCB has just recently released the premium rates for 2018, and lo and behold the average industry rate is remaining flat at \$1.02. So no change, no increase at all in 2018.

In addition, \$355 million in surplus from the accident fund was credited to employer accounts earlier this month, so the employers who fund the system are receiving the surplus through credit offsets. Employers will not see anything in this bill that means that the government is directing financial decisions at the WCB. None. What employers will see is an improved system that is effective, sustainable, and remains one of the most affordable in Canada.

Madam Chair, in my experience as Labour minister it's become all too common to hear: it's not broken; don't fix it. Well, I stand here in the House today with all confidence to say that in a province where workers didn't have the right to participate in making sure their workplaces are safe, we are fixing that. In a province where workers have the duty but not the right to refuse unsafe work, we are fixing that. In a province where injury benefits were out of step with real earnings, we are fixing that. And in a province where workers are not fully protected against harassment, we are fixing it, and we are fixing it now.

Now, I'm very interested in working with this House, through amendments and through the debate process, to make sure that Bill 30 is the best bill that it can be. To start that process, Madam Chair, I would like to table an amendment to Bill 30 that does the job of clarifying certain items within the bill and a little bit of housekeeping to it. I have the requisite 95 copies of this amendment, and I will pause there.

**The Chair:** This will be known as amendment A1.

Go ahead, hon. minister.

**Ms Gray:** Thank you very much, Madam Chair. This amendment will make housekeeping and clarifying changes to further strengthen health and safety protections and clarify the government's intention to improve OH and S and WCB legislation.

Please let me know, Madam Chair, if you'd like me to change how I'm doing this, but I will just speak to each section, as to what it is.

Part A of the amendment will ensure that workers who are employed in a private dwelling are protected under the OHS Act. For example, this change will ensure that live-in caregivers are covered by the OHS Act if passed. That would include the duties, essentially, that are defined in the act.

Part B will ensure that the OHS director can designate a prime contractor as responsible for a number of work sites in an industry. This will create another efficiency in the process for contractors working with OHS. The reason we use "class of work sites": an example industry, Madam Chair, would be logging, for example, where there are multiple work sites, but we would want the ability to designate a prime contractor.

Part C makes a change to the definition of domestic worker to make sure that we are including workers who live in a private dwelling and to ensure there's no ambiguity and that they have basic OHS protections.

Part D is a clarification change, simply ensuring that the deeming provisions of section 98 come into force on June 1, 2018. This part would be amended by striking out "96, 97 and 98," and substituting "96 and 97,".

Part E. This change will ensure there's clarity that our intent is to recognize correctional officers and emergency dispatchers as eligible for presumptive coverage for PTSD under the WCB. Madam Chair, this is in keeping with our government's policy direction. We spoke to this when we introduced the bill. Through the bill we have given ourselves the ability to make this change through regulation, but since the introduction of the bill we've heard directly from correctional officers and emergency medical dispatchers that the clarification that would come from having this in the legislation directly rather than through an update to regulation later would be quite meaningful to this group of Albertans, and as this was a recommendation from the WCB panel originally, we are happy to make this amendment and make sure that that clarity is there for these important workers.

Part F. This part of the amendment repeals section 41 of schedule 2, which makes reference to maximum assessable earnings. Making sure we're removing this reference is part of the decision to remove maximum insurable earnings from the Workers' Compensation Act. The section referenced is no longer required.

Madam Chair, overall, this is a set of housekeeping changes to increase clarity in the bill. I'm happy to answer questions that there may be on this amendment, but I certainly hope that all members of this House will support the amendment that I have put forward.

Thank you, Madam Chair.

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

**Mr. Hunter:** Thank you, Madam Chair. I would like to rise and speak to the amendment as proposed by the minister. I actually had an opportunity – and I appreciate the minister sending it to me and having me take a look at it before. I appreciated that. I have actually no problems supporting this. There were some important corrections that needed to be in here, especially the definition of what corrections officer meant, being that it's a peace officer. Peace officers, obviously, as well as emergency dispatchers need to have that added in there. I appreciate that clarity and that being put in there. I think that these professions will need to have that added protection as well.

I guess the only thing that I'd like to say to the minister on this amendment, Madam Chair, is: look, I don't have a problem with the fact that you have put forward this amendment as it is a

housekeeping amendment. I guess the problem that I have – and this goes back to the original questions that we had – is about why you needed the amendments now. I mean, we've just been introduced to the bill, and we already have the amendments.

I do get the idea about the peace officers and corrections and dispatchers. There should have been, really, one line item in there that should have been changed, but what we see here is multiple sections that needed to have changes made as housekeeping changes, which speaks to the problem that we've been addressing for probably the last few days, and that is that the consultation process was rushed. The problem that we have faced: I've talked to many stakeholders, Madam Chair, that say that this was a very rushed process, that they did not feel that they had the opportunity to be able to speak to the issues fulsomely enough.

So here we are right now. We're dealing with a situation where shortly after the bill was introduced, the ministry recognizes that it was not written properly and that there needed to be housekeeping amendments done. Because of that, I think that it shows we need to step back from this bill, we need to give it the proper time needed, and we need to make sure that we hear from enough of the stakeholders, the 160,000 some-odd businesses that are actually contributing to WCB and that will be affected by these OH and S changes.

3:10

Let's be clear once again: these are not simple changes. We're talking about an extra hundred pages being added to the Occupational Health and Safety Act. Think about what that will do to small and medium-sized businesses. They have to wrap their heads around the idea of these extra hundred pages that they have to deal with now, and they've got to be able to understand it because ignorance of the law is not an excuse.

We know a few things. We know that under this government the penalties will be the highest in Canada. Small, medium, and large businesses have got to really move quickly to be able to get their heads around what all these changes are, again, a hundred pages of occupational health and safety added onto the Occupational Health and Safety Act. Knowing that there are the highest penalties in Canada, knowing that ignorance of the law is no excuse, we now have a situation where they are putting a lot of stress on the businesses. That's really a concern that I've heard a lot when I've talked to the stakeholders.

That being said, I have a lot to say about this bill, but in terms of this amendment I will be supporting this amendment because, again, it speaks specifically to an important correction, which is talking about the peace officers and the emergency dispatchers being added to that part. But I do believe, once again, that because there are these housekeeping issues, it shows that the reality is that we have pushed too fast for this bill and that we should actually be slowing down.

Thank you, Madam Chair.

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

**Ms Gray:** Just briefly. Thank you very much to the member for the support for this amendment, and I appreciate your comments. Similar to what we were talking about with the correctional officers and emergency dispatchers, when the bill is introduced into the House, although we've consulted with so many stakeholders and we were able to talk to them about potential policy direction and whatnot, the introduction of the bill is often the first time for safety associations, business groups, and OHS experts to read the details. The process of allowing the bill to be debated and for stakeholders to be able to reach out to us or to the opposition to talk about

potential amendments or changes is exactly how this is supposed to go. I'm very pleased that we were able to work with stakeholders on this and now with this House to make these housekeeping amendments to the bill.

Thank you.

**The Chair:** The hon. Member for Fort Saskatchewan-Vegreville.

**Mrs. Littlewood:** Thank you very much, Madam Chair. I'm really happy to be able to stand and speak to this amendment to Bill 30, An Act to Protect the Health and Well-being of Working Albertans. This amendment captures something I've been working on with correctional officers and their families since the election. They have been struggling with an extra five years now of not being entitled to presumptive PTSD coverage, and that has left what is a multiplying effect of cost on our society, on our province.

There are careers where, unfortunately, PTSD is more prevalent, and it's because they see traumatic things. I had the opportunity to introduce someone the other day, Frank Garritsen from Fort Saskatchewan, who had been working for 27 and a half years in corrections, and he had seen all manner of horror: slashings, hangings, murder, sexual assault. Something awful that I had never heard of was something where an inmate would take a bottle and mix together feces and urine and would explode it on a corrections officer as they passed their cell. Things that I had never even heard of were brought to me.

That's one of the many reasons why I knew it was really important to fight for this for the last two and a half years even though it's taken a really long time to go through really fulsome consultation with all of those that are affected, whether it's the public service or workers or industry. It's taken this long to make sure that it's comprehensive and looks after those things that, you know, I wouldn't refer to as housekeeping.

The point of having Committee of the Whole is to be able to bring forward amendments as a matter of going through the legislation and having an eye for it that maybe someone else didn't have, because we all represent just different constituencies in Alberta and different concentrations of a certain industry or worker. There are a lot of nurses in my constituency. There are a lot of corrections officers in my constituency. There's a lot of RCMP. There's a lot of Edmonton Police Service. There's a lot of military. I have the opportunity to hear those stories and struggles that they have as part of my role.

So when I have legislation come forward, you know, I'm seeing it for the first time, too, but I know that I've been part of this conversation for two and a half years. This isn't the first time that I'm hearing about these subjects and these issues, so I, knowing that there was this review happening, actively talked to people to be able to get a sense of what, like, work had been done before and reached out with questions about where things are so that I can get a really good sense of the things that might need redress when I see a bill.

This is one of those things. It's a very confusing thing. If someone were to say, "Oh, you know what? Corrections officers are covered in presumptive PTSD legislation," I might have read it initially, the original legislation, that had been passed in 2012, and thought that that made sense. That's, in fact, what happened in Frank Garritsen's case. He took his case to the WCB, and they opened up, you know, the legislation and said: "Oh, you're a correctional peace officer. It says it on your badge, says it on your paperwork. It makes sense that peace officers are covered." In fact, it took a year for them to figure out in the legislation that it is not correctional peace officers; it is peace officers defined as sheriffs. Sheriffs need protection, too, absolutely, but corrections officers have really high incidence of

posttraumatic stress disorder because of those awful things that we ask them to tend to.

You know, we're legislators that create laws that put people in the corrections system, and then we're not thinking about the people that are behind those walls, that are keeping society safe. That was a real, real hole that was left five years ago. It's troubling when people are dying. These corrections officers: it's not some faraway story. These are our friends. These are people that I have talked to via Twitter and Facebook and e-mail because they have heard about the work that we've been doing.

The idea that this needs to be put on hold is just flabbergasting to me and flabbergasting to the people who have these stories. I shared the story of someone named Isaac McNeill, who was happy to share his story on the record. He tried to cut his throat and woke up in a pool of blood. Like, this isn't some faraway thing that needs six months more or whatever number you want to put on how much longer you want to consult. This is happening. These people are in your communities, so this needs to happen now. This is not the time to dither.

3:20

Why did it take so long? The Premier, when she was sitting as an MLA in 2012, tried to put forward this amendment, tried to include correctional peace officers in the legislation, and she made very sound arguments, as she made last night. She was talking that there are issues when you create a class of workers and say, you know, that we're going to hold only certain people – and people that do incredible work. I mean, the first responders that are included and going to be included, including emergency dispatchers, do incredible work on behalf of Albertans.

But what it did was that it made people in the corrections field feel like second-class citizens. That was what I heard over and over again. When they would go through the WC process, they would feel like they had just been traumatized all over again. They would tell me that they just felt like the whole system was throwing them away like garbage. That's, unfortunately, what we heard concerns about, that the WCB Act did not focus enough on the needs of workers, so there was a lot of work that needed to be done.

Sorry. I wrote a lot of notes that are kind of in front of me because it's something that I am very passionate about, so I'm having just a slight trouble reading through my notes.

The struggle of posttraumatic stress disorder is serious. It interferes with everything. It creates difficulty in being able to form relationships with trust. It has hypervigilance as a part of it, which is just exhausting. We're starting to understand more about it so that we can better support them, and that's really important.

You know, it doesn't matter if you are attending an emergency in jail or if you are attending a car crash, trauma is trauma is trauma. I know that we have other regulations that will be able to protect the public-sector workers, but this is a really important piece that recognizes that corrections officers suffer at rates sometimes two, two and a half times police officers' because they are immersed in that place, in that environment full-time. Full-time.

There has been a basic lack of respect paid to these corrections workers. When they experience this psychological injury, this mental injury, it impacts their ability to take care of their families. They're not looking for any sort of special recognition, any special thanks. They just want to be able to put food on the table for their family when they get home. That's what is so important about having good legislation that protects workers because, you know, a worker should have the right to do that. They look after the rest of us, and then they just want to be able to go home and look after their family, too. So we need to make sure that we continue to do this

work. I'm really glad that we have the time to debate this now to make sure that these things have been seen to.

I want to thank the minister for tabling this amendment. I know that she knows how much this means to the workers that it represents. I'll leave it there, but I just want to make sure that everybody here knows that it is the right thing to do.

Thank you, Madam Chair.

**The Chair:** Cardston-Taber-Warner.

**Mr. Hunter:** Thank you, Madam Chair. I just have a really quick question that I hope someone could give me an answer to. I heard the member opposite say that they've been working on this for about two and a half years. I guess the question that I have is – the minister talked about the process of how this thing actually rolls out, and she talked about how they had to work for a period of time. In terms of the consultation process there were 1,300 online survey responses, 90 written submissions, eight in-person facilitated round-table discussions, and then 200 stakeholders that were representing employers, workers, OHS professionals, health and safety associations, and academics. Just to be clear, that two-and-a-half-year-period process – and then she said that then once we go through that process of being able to draft the bill, at that point we have the opportunity to be able to bring it forward so that people can give us their feedback.

To the minister: does she believe that it is fair to go two and a half years in drafting this bill, which is over 200 pages, to be in a situation now where she is giving seven days to stakeholders, to people who are affected by this to actually just read the bill, a 200-page bill, digest it, and try to be able to come up with some reasonable responses to it? Seven days versus two and a half years to be able to draft this: I wonder. I just have to ask the minister: does she really believe that that is a reasonable amount of time to be able to make sure that the stakeholders, the people who will be affected by this, especially small-business owners, by what the unintended consequences will be, especially them, have had the proper time to be consulted and get their feedback during this important process?

**The Chair:** The hon. Member for Fort Saskatchewan-Vegreville.

**Mrs. Littlewood:** Thank you. I just wanted to clarify that I said that I had been working on this amendment for two and a half years. I know that, you know, government never really stops working, so there is work that goes on in the department all of the time. That is its nature. But the draft report itself went out in July and therefore was available for review, feedback, further input between July and September. That was the second round of the review.

**The Chair:** Calgary-Klein.

**Mr. Coolahan:** Yeah. Just quickly, Madam Chair, as my colleague said, the draft report was out in July. We have to remember, too, that this isn't reinventing the wheel. We were playing catch-up with the other provinces, so we were able to take from some of that legislation as well. As this is rolled out next year, too, there is going to be a lot of support for small, medium, and large businesses and owners in terms of training, and we'll be able to discuss what is required to make their workplaces safe.

Thank you.

**Mr. Hunter:** I just wanted to clarify the point that I was trying to make. In this amendment they've identified peace officers and emergency dispatchers, that had been left out. Now, over a two-year to however long it was, a year and a half, two years, whatever, that

they were working on this – we were able to figure that out in about seven, well, actually, three or four days. The question that I have for them is: is the seven-day period that they're actually providing us with enough time to make sure that we've got the proper representation of the people who might be left out or might have been missed? Do they actually have enough time to be able to read the bill, know whether or not it affects them, and actually be able to give proper feedback and say: "Yeah. You know what? You forgot us." That was my question.

**The Chair:** Edmonton-Decore.

**Mr. Nielsen:** Thank you, Madam Chair. You know, I think we want to quickly just review about the consultation that had occurred. They had pointed out some of the things that happened, but it was just on occupational health and safety – okay? – 1,300 online surveys just for occupational health and safety, 90 written submissions just for occupational health and safety. I can go on. The WCB. We've forgotten to continue to add the 1,700 questionnaires around the WCB, the 200 written submissions, and the 67 workbook responses. That was before the panel had submitted their report, which then got an additional 60 responses with that.

3:30

But what I wanted to quickly focus in on with regard to the consultations – I'm not too sure if there's some confusion here about the extent of just how far this went. There were, you know, 200 stakeholders across Alberta. Some of those stakeholders represent a very large number of working Albertans, and I think we'd be remiss if we didn't point out just some of them – I don't have time to go through all 200 of them here, but we can touch on just a few of them – you know, a stakeholder like Keyano College, which has 341 staff, with approximately 2,800 full-time students there, being consulted with on the bill. Bethany Care Society: 262 full-time employees, 1,147 part-time employees, approximately. The Centre for Newcomers Society of Calgary: 760 staff and volunteers.

You know, it's one thing to consult in just one little area. What we tried to do was to create a very wide net to capture as many of the stakeholders as possible. Red Deer Airport was a part of that, with approximately 240 employees. Red Deer chambers of commerce participated. They represent approximately 800 members.

Maybe I'll just quickly pull a page from the Member for Grande Prairie-Smoky. I'm hoping that we won't dismiss some of these stakeholders that are being mentioned that are not able or capable of representing their memberships' views and their employees' views. These are the people that we consulted with in coming up with the bill.

Royal Dutch Shell, which, you know, could also be known as Shell Scotford Alberta, with approximately 1,300 employees. Edmonton Exchanger & Manufacturing: approximately 1,000 employees. We have the Medicine Hat chamber of commerce with 825 members. Enmax has approximately 1,825 employees. Alberta Beef Producers: Madam Chair, 18,000 producers were consulted. The Alberta Construction Association: representing an impressive 3,000 members, encompassing approximately 226,000 employees. Alberta Health Services, with approximately 124,000 employees. Alberta Sand and Gravel Association: 125 members. Building Industry and Land Development Alberta Association represent approximately 1,900 members. Edmonton public schools, with approximately 8,640 employees.

PCL Construction Group has approximately 14,400 employees. UFA Co-operative Ltd.: a very, very impressive 110,000 active

members. Alberta Ready Mixed Concrete Association, representing 270 companies in their capture zone. Cargill Ltd.: total employees of approximately 8,100 Canada-wide. I think this is where it's very, very important to point out that some of these companies now are in other jurisdictions, where these changes that we're making already exist. I'm sure that some of these organizations, you know, have experience at this. Again, I think the Member for Calgary-Klein said that we're not reinventing the wheel. These are things that these members are already looking at.

Operating engineers local 955, you know, has more than 13,000 members. UFCW: 32,000 members, and of course they're representing the workers for Loblaws or Superstore, which have a very impressive number of employees working for them across Canada.

So I think when we're talking about the amount of consultation that has taken place, I think it very clearly demonstrated here that that net is cast very, very wide. There are amazing numbers of results that are being pulled in, which have formed this, which is why I think, you know, as the minister who brought forward the amendment said, again, it was to just quickly clean up, a little bit of housekeeping. I'm happy to support that. I think as we move forward, using consultation as an excuse to delay this bill, like the Member for Fort Saskatchewan-Vegreville mentioned, would do a disservice to some of the people that we're looking to protect.

**The Chair:** The hon. Member for Innisfail-Sylvan Lake.

**Mr. MacIntyre:** Thank you, Madam Chair. As impressive as the list of participants in the survey is from the hon. member opposite, here we are right now with an amendment that says: oops; we forgot somebody. That is the point, that as impressive as that survey may have been and all the consultation may have been, we have an amendment right now before this House that essentially says: in spite of all that, we missed somebody. That is the point, that it's one thing to survey and consult before a piece of legislation is actually crafted, but once the thing is written and there it is bound and stapled together, that's the document people need to look at. That is the fruit of all of the consultation. That isn't something in a complete form that people got to read through ahead of time and give feedback on. The point that we're trying to make is, "All right. Now we've got this bill. Now let's take a second look at it and see: is there someone else that's been forgotten?" just as these amendments indicate is the case. That is the point.

Thank you.

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

**Mr. Ellis:** Thanks, Madam Chair. Thank you very much for all the comments that I've listened to, and I've certainly listened with intent. I especially want to thank the Member for Fort Saskatchewan-Vegreville for, of course, bringing this sort of information to the government, which brings this amendment forward, which I of course do support. You know, I'll point out, as my friend the hon. Member for Innisfail-Sylvan Lake pointed out, that, to the point, clearly a couple of folks were forgotten, which is why we have an amendment here, which is concerning.

You know, I've spoken to this House previously in regard to a few of my we'll say opportunities within the police service. But corrections officer and emergency dispatcher: I certainly have not specifically been a corrections officer in a corrections facility; however, I was a judicial interim release hearing officer for two and a half years and performed the role of a corrections officer within the city jail in the city of Calgary. I can tell you that for at least two, almost three winters there were times when I did not even see any

daylight. That takes a toll on an individual. Some of the things that I had to witness were – well, honestly, Madam Chair, I probably cannot even speak about them within this House, which is how disturbing some of the things that I have seen were. But my point is that those experiences take a toll on people.

In having conversations with people who are corrections officers – I mean, I did that for two and a half years, to the point where I had to get out so I could have some peace of mind. Some of these guys and ladies do not have an opportunity to get out. In fact, they will do 15 years, 20 years, 25 years, 30 years, and I can only imagine what it's like to be in a facility for that long a period of time. You know, really, you're dealing with people who have been convicted of crimes, and it does take a toll. There is a disproportionate number of those workers who commit suicide, who have mental health concerns, and those people need to be protected, but as my friend indicated, clearly they were not thought of in the original bill, which is why the amendment is being brought forward. Well, who else have we forgotten?

3:40

You know, they touch on emergency dispatchers. A lot of people tend to forget about emergency dispatchers. I will tell you that I certainly commend this government and whoever specifically it was who brought emergency dispatchers in as part of this amendment. I can tell you that emergency dispatchers are your first point of contact when people call 911 or the nonemergency line. It is then determined at that time whether or not that call is going to go within a city, within a rural municipality. It'll be determined whether it is fire or EMS related, whether it is police related because there are specific skills that those folks have.

I can tell you that my wife was an emergency dispatcher for EMS and fire. We talk about posttraumatic stress disorder, and we talk about some of the challenges that those folks face which sometimes people don't understand. As a police officer visually am I the first one on a scene? Have I seen people in traumatic situations? Have I seen things that would make everyone here cringe? Yes, I have. However, I can tell you that my wife, what she experienced – and notice I used the past tense – was as traumatic as things that I had to experience while working the street.

In fact, she was involved in a situation. She dispatched in the Calgary surrounding area in the rural communities. Sadly, somebody had committed suicide, and a wife was the first upon the scene. Well, my wife had to counsel that lady for 30 minutes to 45 minutes before emergency services could even get to her. That took a toll on her. That was a very traumatic situation. My wife's past: she had a close friend when she was much younger that committed suicide, and then as a result, it compounded the incident that occurred at work.

I'm enjoying listening and hearing we'll call it the progressive nature of this type of legislation because I can tell you that her commander at that particular time – it was very disappointing to hear what his response was. That commander was having the attitude that my wife needed to really just kind of get over it, not knowing what her history was, not knowing the actual trauma of the call that she experienced as well. As a result of that experience, my wife could not continue working for emergency services as a dispatcher.

I think what was even more disappointing was the way that she was treated by the employer despite her having this posttraumatic stress disorder, them not recognizing and, in fact, them not really even caring, quite frankly. I mean, she was obviously lucky that she was in a position where she could eventually wipe her hands clean of that. We, of course, have small children, and she did think of

another career that was less impactful than working as an emergency dispatcher.

You know, I can tell you that those two jobs, emergency dispatcher, corrections officer: people don't realize what these people go through. People don't realize that the experiences that they have are equally if not as traumatic as what the police officer on a scene sees, what the fireperson sees, what the EMS worker sees. They are just as much a part of that call. In fact, when we do debriefs in emergency situations – critical incidents is what we call them – as a former commander I would always include the emergency dispatcher in our debrief. Why? Because they were an integral part of that call. What they were experiencing when that person who called in had trauma – that person was there. Although they were listening to my command, I can tell you that their point of contact was integral to that call.

For that reason, of course, I support this amendment. Again, I agree with my colleagues on this side. You know, these two critical, critical positions in our province, the people that I would say certainly have a role as a responder, almost like that service that people don't even seem to know about – right? – the kind of hero that doesn't really get recognized: those two individuals, those two jobs, were not mentioned in the first bill. I think that's why it's so critical to make sure that we get this sort of stuff right.

I would like to again thank the Member for Fort Saskatchewan-Vegreville, and I would like to thank the government for putting this amendment forward. But, you know, really, folks, we have to make sure that we get this sort of stuff right and include everybody. I appreciate the comments made by other stakeholders that were included, but we have to make sure that we don't miss anybody, especially that provides critical services to our community.

Thank you, Madam Chair.

**The Chair:** Are there any other members wishing to speak to the amendment? The hon. Member for Drayton Valley-Devon.

**Mr. Smith:** Thank you, Madam Chair. I rise to speak to the amendment on Bill 30, An Act to Protect the Health and Well-being of Working Albertans. I want to thank the member for bringing forward the amendment because rarely is there perfect legislation. If we remember yesterday, we had the opportunities to rise and join together as a House to speak to some private member bills, to come to consensus, to have some amendments brought forward, to agree on those amendments, and to support them and make legislation better. I think that's the goal of this House, obviously, to provide the best legislation that we can potentially have for the people of Alberta. I don't believe that Bill 30 is any different. I rise, Madam Chair, to speak in favour of this amendment because any time that we can make a piece of legislation better, I believe that we have a duty as legislators to do so.

Now, you know, some of this amendment here, some of the parts of this amendment, are housekeeping, to be sure. When we have to define that a worker in a private dwelling is covered by OH and S or that workers that live in a private dwelling are called domestic workers, I would suggest that that probably is a housekeeping measure. But some of this amendment actually speaks to some important issues that have already been brought up by the Member for Fort Saskatchewan-Vegreville. We can see that when we're dealing with issues like posttraumatic stress disorder, including correctional officers as peace officers and including emergency dispatchers as first responders is an important amendment that needs to be included in this act.

Madam Chair, I used to have to try to explain to some of my students what the words "to amend" mean. I would have to explain

to them that it was to change and hopefully to bring about change that was progressive and that was better. When we talk about this in a political sense, we are amending or changing a piece of legislation in order to try to promote and to deal with some of the issues that perhaps speak to a need for improvement.

3:50

I was very pleased to hear the Minister of Labour say that when we go through this exercise of the Committee of the Whole, new ideas are brought up from both sides, that a part of our debate is ensuring that stakeholders' points of view and ideas that will improve a bill are brought forward and are put forward before the House. I would hope that that is a consensus of the government, that this is a process not just for the government to put forward amendments but for this House to bring forward amendments. Just as there was an appeal to the Official Opposition to listen and to consider and to support those amendments that would make a bill better, we plan on bringing forward amendments that will also, in our position, from our point of view, make this bill a better bill. I was very happy to hear the Member for Fort Saskatchewan-Vegreville say that she believes that this process brings a new eye to legislation. We would argue, as we move forward and we provide amendments to this bill, that the House would consider those wise words.

Madam Chair, we have had the hon. Member for Cardston-Taber-Warner ask a question. After taking two years to draft and consult on this piece of legislation, why are we only taking seven days to debate this bill? We have an opportunity to bring forward amendments, and this is a good amendment. This idea of addressing correctional officers and emergency dispatch individuals were important issues that needed to be addressed and to be added into this bill. It shows us that there are times when the government and when the opposition identify issues and that this is the time, Committee of the Whole, to bring forward these ideas for the consideration of this Legislature. I would ask and suggest that the question of my hon. Member for Cardston-Taber-Warner is a good question. Why the rush? Why the rush?

We can see that there are some concerns for our stakeholders in the opposition that we've talked to and government stakeholders that they've talked to, that even now they're bringing forward new ideas. I would argue and ask this House to not only support this amendment but to give serious consideration to the amendments that will be coming forward as we move through this piece of legislation.

Thank you very much, Madam Chair.

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

Are you ready for the question?

[Motion on amendment A1 carried]

**The Chair:** Are there any further questions, comments, or amendments with respect to Bill 30? The hon. Member for Calgary-Elbow.

**Mr. Clark:** Thank you very much, Madam Chair. It's an honour to rise and speak to Bill 30. Before I go any further, I will just present an amendment here to you, and then we will move on.

**The Chair:** This amendment will be amendment A2.

Go ahead, hon. member.

**Mr. Clark:** Thank you very much, Madam Chair. Moved that Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be amended in schedule 1 in the proposed section 16(5)

by striking out "and" at the end of clause (c) and adding the following after clause (c):

(c.1) whether the employer is a non-profit company or society, and

The bill itself proposes to make workplaces safer for all Albertans. I think that's an important goal, certainly one the Alberta Party supports, but it must and will include workplaces that are comprised primarily or entirely of workers in the not-for-profit sector. This amendment seeks to allow some discretion for not-for-profit organizations to pool their resources in a way that allows them to comply with the new legislation but to do so in a way that doesn't have a very detrimental impact on their finances.

As I'm sure most of you know, not-for-profit organizations are rarely funded through grants for administrative costs, and that includes the human resources costs required to comply with the requirements of Bill 30. In addition, not-for-profits having 20 or more volunteers at a work site would now be required to comply with the legislation. Now, I know and have worked with not-for-profits that are certainly rich in people but less so in finances. This clause as it stands now before the amendment would have a disproportionately negative impact on them. It certainly could. Our amendment to section 16 of schedule 1, on page 26, of this bill would enable directors of inspection to consider an employer's nonprofit or charitable status and, hence, their financial capacity when working with organizations to build capacity to establish and operate joint work-site health and safety committees.

It's very important to the Alberta Party and to me personally that workers and volunteers at not-for-profits and charities are protected and are safe. We are looking for constructive and creative ways that those in government responsible for work health and safety can work with nonprofits. It's very important to work with nonprofits and charities to improve worker and volunteer safety in sustainable ways that work for everyone. That way not-for-profit and charitable workers that are under some of the unique constraints of nonprofit and charitable organizations and those who work in unusual work environments can enjoy the full protection of this bill, just like workers in commercial workplaces that might have more resources to build human resources capacity to meet the requirements of this bill. We see this amendment as a practical action we can take to make this bill work better for Alberta's nonprofit and charitable organizations and for the people who both work and volunteer for those organizations.

Now, we did share this amendment with the government in advance, earlier this week. I would hope that they would make a commitment and would be able to support it and make that same commitment to Alberta's tens of thousands of smaller nonprofits and charities, who would be protected if this amendment is passed from the unintended consequences – I certainly hope that the consequences and imagine that the consequences would be unintended – of the bill. The not-for-profits that I deal with in Calgary-Elbow and beyond are asking for assurances that the administrative parts of this bill not drive them out of the business of serving Albertans or impair their ability to serve Albertans because it would drive up the administrative costs of doing business for those not-for-profits.

So I ask the government and all members to please vote now in favour of a very clearly common-sense amendment that would in fact make things better for not-for-profits, for charities, and, most importantly, for the Albertans that those nonprofits and charities serve.

Thank you, Madam Chair.

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

**Mr. Nielsen:** Thank you, Madam Chair. I appreciate the member bringing forward the amendment. As we know, as it's spelled out in the act, there are certain duties around safety that are required of all employers. As we know, with all the great work that our charities do, they are still employers. You know, such groups as the United Way do fantastic work. They do have a lot of employees and are required to still provide a safe work environment for those employees, as spelled out. There are always potential things that can be looked at with regard to the regulations, but right now, of course, we are just talking about the bill itself. I do thank the member for bringing this forward and making sure that we are talking about charities, but at this time, respectfully, I will urge members to not support this amendment.

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

Seeing none, are you ready for the question?

[Motion on amendment A2 lost]

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

4:00

**Mr. Hunter:** Thank you, Madam Chair. I rise to move an amendment.

**The Chair:** This will be amendment A3.

Go ahead, hon. member.

**Mr. Hunter:** Thank you, Madam Chair. I move that Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be amended in schedule 1 in section 41 as follows: (a) in clause (c) by adding "the regulations and the OHS code" after "review this Act and its administration" and (b) by striking out clause (d).

Now, this amendment proposes that the government initiate a review of OH regulations at the same time the entire act is reviewed, every five years. As I talked to different stakeholders, I realized, you know, that adding another hundred pages to the Occupational Health and Safety Act is going to be very cumbersome to them – it's going to be tough for them to be able to get their heads around this – and then adding on the regulations as well. They indicated to me that having this moved from a three-year period review to a five-year period would be a lot less cumbersome on them, so they asked that I move this amendment.

Now, one of the things that it says in this section that the government is actually proposing is that publishing a three-year OH and S review each year will create unnecessary work for this ministry. The concern that I have is that they're going to publish every year. They're going to be publishing a three-year OH and S review and then whatever regulations might come with that. This is going to add more onto not just businesses, small businesses especially and mid-sized businesses, but it's also going to be affecting the ministry because they will be the ones who will have to be reviewing this every three years as well.

The other thing that I heard was that the costs of these revisions can be anywhere up to a thousand dollars for each change for each of these organizations as they have to reprint and change the practices, the printed material, to go around to the different people who are in charge of safety. Now, that, I think, would be considered as one of the unintended consequences as I do believe that the government had the best intentions of being able to make things safer for employees. But remember that this is actually a symbiotic relationship between both the employee and employer and that we

need to make sure that we don't chase small businesses out of business because of overregulation and more paperwork to do.

I am concerned that if we don't move it to a five-year period, they will not have the opportunity of being able to just move forward with the changes that need to be done until after the third year, that they've got to go right back through it and do it again.

These are some of the concerns we had and that we had heard from our stakeholders, and I would recommend that all members of the House vote in favour of this amendment.

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

**Mr. Nielsen:** Thank you, Madam Chair. I appreciate the member bringing forward the amendment. What we're talking about here is a requirement on behalf of the minister to come up with a plan every year when looking to review every three years, and that doesn't necessarily mean that it's going to be a full-blown review at any time. You know, we can do this by sections here, so it's not felt that this will be too onerous on companies. They'll very easily be able to work with the minister. The minister is very adamant about making sure that there is co-operation on behalf of the ministry in order to help businesses move forward on this.

Again, I'll thank the member for bringing this forward at this time, but I won't be able to support this, and I'll ask members to not support this as well.

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

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A3 lost]

[Several members rose calling for a division. The division bell was rung at 4:06 p.m.]

[Fifteen minutes having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Ellis	MacIntyre	Smith
Hanson	Pitt	Strankman
Hunter		

Against the motion:

Anderson, S.	Gray	Payne
Carlier	Hinkley	Phillips
Carson	Horne	Piquette
Ceci	Jansen	Rosendahl
Connolly	Kazim	Schmidt
Coolahan	Kleinstein	Schreiner
Cortes-Vargas	Larivee	Shepherd
Dach	Littlewood	Sigurdson
Drever	Mason	Sucha
Eggen	McKittrick	Turner
Feehan	McLean	Westhead
Fitzpatrick	Miranda	Woollard
Goehring	Nielsen	

Totals:	For – 7	Against – 38
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[Motion on amendment A3 lost]

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

**Mr. Hunter:** Thank you, Madam Chair. I would like to move another amendment.



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

Go ahead, hon. member.

**Mr. Hunter:** Thank you, Madam Chair. I move that Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be amended in schedule 2 in section 6 by striking out clause (a).

Now, this amendment – I would like to first of all just point out that when we actually take a look at the bill, what we've tried to do is to look at what the overarching position of this one point is, and then we've tried to talk about the background, about why we felt the minister was trying to go in this direction. We looked at, you know: why the need for the change? Then we also talked about what jurisdictions this was brought from and maybe took a look at some of the successful or not-so-successful positions in those different jurisdictions.

With that, I'd like to just point out that this amendment proposes that the government strike out the new section regarding WCB Board of Directors appointments, leaving it as it is currently written in the WCB Act. The WCB Board of Directors is currently comprised of members appointed by the Lieutenant Governor in Council. These members are selected based on merit after a rigorous third-party audit of potential candidates. The board cannot consist of more than three representatives supporting the interests of employers, employees, and the general public.

Bill 30 maintains that three members be selected from groups representing employers, employees, and the public. However, these candidates are no longer selected by merit. Rather, seven candidates are nominated by each group, and the Lieutenant Governor is required to choose from this small selection of candidates. Merit is no longer a requirement for selection to the WCB Board of Directors with these three appointments.

Now, the one thing that I like about the current system that WCB employs is that this current system includes a layer of oversight by a third-party auditor. The jurisdictions that use the current Alberta system are Manitoba, Ontario, and Nova Scotia. I point this out because it's important to remember that a lot of these changes, from what I understand, came from a person that actually came from Manitoba, so I guess the question I have is: of the recommendations that were brought forward, where did this one come from? I can see how some of the bill came forward from this person that came from Manitoba and then some would come from industry and from the stakeholders, but I don't understand this one, why we would be taking merit out of the selection process. WCB's selection process is audited. It's an arm's-length process, and I don't think that we should be meddling in an arm's-length organization in this way.

Now, I guess the other question is that this could lead to a board that is overly partisan to certain interests, which could lead to a less effective board if members are there to fulfill an agenda rather than protect workers and employers. Appointments to the board of directors should be made based on merit – and I've stated that before – not nomination by organizations. I don't understand where this recommendation would come from. I imagine it would not come from stakeholders in industry because they believe that it's very important, first of all, to have that arm's length in this selection process, and they also believe that it's important to make sure that the people who are on there have the merit to be on that board.

I think that it's problematic that this is in the bill and that the best way, in my opinion, to be able to move forward is to strike out clause (a) and to make sure that we go back to the system that workers' compensation has been operating on for some time. Remember, once again, that the jurisdictions that are using the current system we have here in Alberta are Manitoba, Ontario, and Nova Scotia, Manitoba being where the individual who came up with all these ideas – I think that it's interesting that he would come

up with this idea even though Manitoba is using the system we have today.

Thank you, Madam Chair.

**The Chair:** Any other members wishing to speak to amendment A4? The hon. Minister of Labour.

**Ms Gray:** Thank you very much, Madam Chair. Essentially, what we are doing with this is making sure that, going forward, the Workers' Compensation Board and the members who make up the board are representative of the interests that the WCB seeks to balance, which are the interests of workers and the interests of employers. When we struck the WCB panel, we had a representative of workers, a representative of employers, and a neutral chair.

4:30

Similarly, the board chair at the WCB is intended to be kind of a neutral party whereas the members – in this case, we've put forward a system where there will be a nomination from representative organizations. Labour, for example, can nominate people to then move on to the Workers' Compensation Board. We did this for a couple of reasons, and this is a change that I think both labour and employers, from the consultations that I've done and the conversations that I've had, are supportive of. What we found with some nominees in the past is that someone would be on the board as a representative of labour because they had been a shop steward 20 years earlier in their career but hadn't been engaged with labour in the province in recent history. So making sure that there are representative interests and making sure that we go and talk to employers about who they would like to see on the board as far as that makeup is concerned is a priority for us, and it gives more say, essentially, to the members of that board on the interests that are being represented.

This is very similar to the labour board, and that is probably the most direct linkage that I can point the member to as far as where this is coming from. In both situations you want two different interests to be well represented so that balanced solutions can be provided, and then we get that sustainable system that provides good rehabilitation for injured workers and benefits all Albertans. All employers want to have healthy and safe workers and want an injured worker to be able to return quickly, and all workers want essentially the same thing.

Looking at how the Labour Relations Board appointments are done, making sure that we're giving that enhanced power and influence to the stakeholders involved is what we've done with that.

I hope that answers the member's questions. I will not be supporting his amendment because I think that having nominated candidates representative of interests serves the system very well.

**The Chair:** Cardston-Taber-Warner.

**Mr. Hunter:** Thank you, Madam Chair, and I appreciate the comments of the minister. I guess the only question that I have, once again, is that you've addressed some important points, but you haven't addressed the issue of merit. My question to you is: do you consider, in the appointment of these onto the board, merit being an important part? If so, is there another mechanism where this merit is going to actually be established? That's, I guess, the question that industry would want to know. You know, can you just appoint anybody on there? Will there actually be that merit that we need?

**Ms Gray:** I appreciate the member's questions. Both labour and representatives of workers and employers and representatives of business care deeply about making sure that there is a sustainable and quality workers' compensation system. To that end, I know that

they will be thinking of the skill sets that are involved when they're making those nominations. That being said, they are nominating more candidates than are needed for the number of positions, allowing an appointment process to take place that will provide an assessment of the people who have been nominated. Essentially, we're giving them the ability to have some control over who is representing their interests, something that I've heard strongly from stakeholders that they appreciate and would like. We are making sure that we can still go through the board appointment process or review as well as do interviews and some of those other steps that currently take place, but the pool of candidates, we will know, represents the interests involved. So absolutely making sure that there is good suitability is something both I as the minister and the stakeholders who are nominating people will have an interest in and will be thinking about through this process.

**The Chair:** Cardston-Taber-Warner.

**Mr. Hunter:** Sorry. I probably didn't ask the question properly, Madam Chair. Maybe I'll ask it one more time here. The current process of being able to present potential candidates is through a rigorous third-party audit at arm's length. My question is: with changing this, are you getting rid of the rigorous third-party audit, which is at arm's length? That's my question.

**Ms Gray:** Thank you very much, hon. member. With this change, we are essentially giving more power and say to the stakeholders, whom we are interested in representing. We will continue to use the appointing processes that our government has put into place that continue to work towards increasing diversity on our board, making sure that there are quality appointees and making sure that we have kind of that independence piece to it.

In this case we are allowing the stakeholders to nominate, so essentially that is independent from government because it is either labour or the business community that would be making that nomination, allowing us to have that say in that way. That is where the independence comes from, giving more control and more influence to the business stakeholders and to labour to be able to nominate people. I mean, that's as independent as you can get, saying: please go and look at the qualified candidates within your pool of interested people and make sure that you have people on the Workers' Compensation Board that will represent your positions and your perspectives as a business owner, for example, and make sure that they will contribute to the overall Workers' Compensation Board in that way.

I hope I've answered your question there. Thank you.

**The Chair:** Any other members wishing to speak to the amendment? The hon. Member for Drayton Valley-Devon.

**Mr. Smith:** Thank you, Madam Chair. I rise to speak to the amendment, and I will be speaking in favour of the amendment. When we start looking at appointing individuals to agencies, boards, and commissions, there are really some very foundational perspectives that can be brought to these positions and to these appointments. One is a mindset that believes that merit should be the primary consideration, that experience and expertise, education, knowledge, all of these combine to provide the individual with the capacity and the merit to make wise choices on this agency, this board, or this commission. When you have that right person, that person that has the experience and the education and the knowledge and the expertise, when you've chosen that person and that person is well chosen for the position, then you get sound judgment, and then you get a committee that is bound together by people that have

the experience and the knowledge and the expertise to be able to make good decisions and to provide balance to decisions when it comes to making decisions, in this case the WCB, the Workers' Compensation Board.

Another way of looking at these kinds of decisions and choosing who's going to be a part of these commissions and these agencies and these boards is to group people into groupings and to look at them not from the position of merit but from the position of the group that they represent, whether that's an employer or an employee or whether it's the general public. We've heard the hon. minister stand up and say, "Well, we need to make sure that we have somebody from the employers and from the employees," and I guess that's what concerns some of us and why I'll be speaking in favour of this amendment. We believe that these appointments shouldn't be about the group that you belong to as much as it should be about the experience and the knowledge and the education that you bring to this board or this commission.

When you start to think of people as coming and looking at them from the point of view of a group and that being a primary consideration, that's when you get political ideology and when the process becomes politicized and where the group that you represent is more important than the merits needed for the job and the position and the decisions that are going to be made.

4:40

Presently the Workers' Compensation Board Board of Directors is appointed by the Lieutenant Governor in Council but selected on merit. We cast a net province-wide looking for applicants. We're looking at those applicants through the mind of the executive firm that is retained, that screens and shortlists these applicants, a neutral third-party auditor that isn't going to be looking so much at what group they belong to as looking at their experience and their expertise and their education and their knowledge whereas Bill 30 brings in this concept of: we need to have somebody from the employer, and we need to have somebody that's representing employees. That in many ways sets up the Workers' Compensation Board so that almost sometimes it could become a dysfunctional board because they're more concerned with the group that they fit in with rather than applying their expertise, their knowledge, their education, and their experience to making sure that we get good judgments and that we get good decisions and that we have balanced decisions coming out of this board.

I would suggest that the current system gives the Lieutenant Governor the freedom to be able to choose board members with a limited amount of political influence and where politics doesn't enter into the situation as clearly and as easily. The current system provides a layer of oversight, that third-party auditor, that allows the decisions to be outside of the realm of politics. We can see that this has done not only Alberta a good service over the last 20 years or so but the provinces in the rest of the country like Manitoba and Ontario and Nova Scotia, where they use the same or a similar system for board appointments.

We would suggest that this proposed amendment will allow the Workers' Compensation Board to be filled with members who are qualified to be there and that this amendment would lead to a board that is not overly partisan, that is capable of considering the needs of the worker and where the board becomes an effective agent for all that are coming before it.

I would speak in favour of this amendment. Thank you, Madam Chair.

**The Chair:** Any other members wishing to speak to the amendment? The hon. Minister of Labour.

**Ms Gray:** Thank you, Madam Chair. I'm going to be brief because we obviously have a fundamental difference of opinion on how the WCB should work. Right now we have board members that are representative of the interests of workers and board members that are representative of the interests of employers. The problem we are solving is that we heard from stakeholders that there was a lack of transparency, that there was a lack of understanding about: "How does that person represent me? I wasn't involved in their recruitment, in their appointment process." So we have introduced as a method the ability for groups to nominate people because we need representative interests on the WCB. That is how the WCB finds balance. We need people who are representing workers, who are representing the public, and who are representing employers. This is not a new concept. We are not introducing this with Bill 30. This is how it works now, but there was a lack of trust that the people appointed were actually doing that.

We are solving that problem. We are increasing the transparency. We are making sure that through the call for applications, through the screening process and whatnot, the representative stakeholders are involved in that. I think I will leave it there because I think there's a misunderstanding about what we are doing when we are looking for people for the Workers' Compensation Board. It's very important that we do have people who represent various interests on that board, thinking of those interests as decisions are being made. It was important to our stakeholders that they have transparency and that they be involved in the appointment process. We currently select now for the three groups. We're just making sure that the interests that we are trying to represent are involved in this process. We've looked to the Labour Relations Board and other systems where that happened successfully. We've brought that to the Workers' Compensation Board, and I'm very proud of that change.

I will be rejecting the amendment. Thank you.

**The Chair:** Any other members wishing to speak to amendment A4?

Seeing none, I'll call the question.

[Motion on amendment A4 lost]

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

**Mr. Clark:** Thank you very much, Madam Chair. I will propose an amendment to Bill 30.

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

**Mr. Clark:** Thank you very much, Madam Chair. My amendment is as follows. I am moving this on behalf of my colleague the Member for Calgary-Mackay-Nose Hill, that Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be amended in schedule 2, section 9, in the proposed section 9.2 by adding the following after subsection (4):

- (5) The Board shall measure and evaluate the effectiveness of the Code of Conduct annually in informing all workers and employers of their rights in their interactions with the Board and take steps as the Board considers appropriate to improve awareness of those rights, including developing strategies for overcoming language, information and physical or mental capacity barriers.

Again, Madam Chair, the objective of this amendment, which we had shared with government, is truly, I hope, if taken in good faith and in a true desire, to make the bill better, to improve the bill. I would hope that members of both the government side as well as the opposition would see the merit in supporting this amendment.

As a principle, Bill 30 proposes to add to or expand the scope of work for several groups and initiatives that will advance worker safety and rights. Those include the Appeals Commission, the fair practices office, the code of rights and conduct, and the Workers' Compensation Board itself. There are tens of thousands of Albertans who stand to benefit each year from those, including Albertans who will take the time to learn about their rights and protections, Albertans whose employers and representatives do take the time to do outreach, and Albertans who are fortunate enough to work with well-informed peers.

Unfortunately, not everybody in this province has the privilege of working in such environments. Unfortunately, every year we see or hear stories of vulnerable Albertans or even just ordinary, rank-and-file working Albertans who don't practically or in reality actually enjoy all of the legislated rights that they should as workers. There is, unfortunately, abuse and bullying that goes on in some workplaces, and it is a significant minority of employers who allow such a thing to go on. That's important to emphasize, that that really is the minority. But there are some who would take advantage of workers' lack of knowledge about their rights – they take advantage of workers' lack of capacity with the English language or the capacity to learn about their rights – and who would threaten to fire or, in some cases, even deport employees who would seek to assert their legislated rights.

You know, one of the things that this bill has is various coming-into-force dates. That presumably is to allow time for education of workers as well as employers about the new provisions in here.

Now, the other thing I want to emphasize is how important it is, in all aspects of what government does, that we measure what we do. This amendment seeks to have the government measure and evaluate the effectiveness of the code of conduct annually and their success in informing workers and employers of their rights in their interactions with the board. That also would compel them to take steps that the board considers appropriate to improve the awareness of those rights, including developing strategies for overcoming the barriers that we've talked about: language, information and physical or mental capacity barriers.

I'm sure that the Workers' Compensation Board, that the various different – the Appeals Commission, the fair practices office, the code of rights and conduct, and WCB itself: I'm sure that they will do that work. I have no doubt they will. That is their core mandate, and I'm certain it will happen. Having said that, "How do we know?" is an important question that we in this Assembly, as the governors, ultimately, of organizations like WCB, should be asking ourselves.

This, to me, Madam Chair, is a common-sense amendment that I would hope the government would support. It takes into account the most vulnerable employees in this province or those in the most precarious position. The amendment makes it very clear that the thousands of people who don't necessarily have time to pore over the 100 some-odd pages of this substantial bill or the 100-plus pages of the Workers' Compensation Act don't really understand their rights. Now, I recognize that there are poster campaigns and websites and other education programs, but this amendment is, I believe, a practical action that will make the bill work better for Alberta's most vulnerable workers, that are often the most at risk. I would certainly ask that all members of this Assembly vote in favour of what I hope is a thoughtful amendment to make this bill genuinely better.

Thank you, Madam Chair.

4:50

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

**Ms Gray:** Thank you very much, Madam Chair, and thank you to the member for reviewing Bill 30 and looking for ways to potentially improve it, particularly given the number of changes that we see in Bill 30 and some of the new pieces that have been introduced.

The code of conduct is one piece that was specifically recommended to us by the panel to articulate the rights of workers and employers and their interactions with the organizations and to articulate in detail how the WCB commits to operate in recognition of these rights. We want this code of rights and conduct to be developed by the WCB Board of Directors and to involve the stakeholders so that we make sure that people understand their rights in the system and to really shift the culture. That's what this code is intended to do, to help shift the culture towards one more worker centred. That being said, this code of conduct as well as a number of other measures will need to be evaluated.

The accountability for these changes needs to be in place, and we feel that it is, that the accountability mechanisms are there in the reporting responsibilities to the minister. As well, we will be working closely with the new fair practices office, that reports to the minister. In this case, I appreciate the member's amendment, but I feel that we have the ability to measure the effectiveness of these changes and we have the mechanisms in place without needing to accept this legislative change.

Thank you to the member, but I will not be supporting this amendment.

**The Chair:** Any other members wishing to speak to amendment A5?

Seeing none, are you ready for the question?

[Motion on amendment A5 lost]

**The Chair:** Any further questions, comments, or amendments with respect to this bill? The hon. Member for Cardston-Taber-Warner.

**Mr. Hunter:** Thank you, Madam Chair. I would like to propose an amendment, please.

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

Go ahead, hon. member.

**Mr. Hunter:** Thank you, Madam Chair. I move that Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be amended in schedule 2 in section 18 in the proposed section 24.3 as follows: (a) by striking out subsection (1)(b); (b) by striking out subsection (2); (c) in subsection (7) by striking out "and may pay remuneration to those members referred to in subsection (2)."

Now, this bill establishes an occupational disease and injury advisory committee. This board must consist of the director of medical services for OH and S, who will be the chair; a physician; an employee of the Department of Health; an employee of Alberta Health Services; and an employee of Covenant Health. These people, obviously, make sense. What is not clear is why the minister may also be allowed to appoint a union representative, an employer representative, and a member of the public. The purpose of the committee is to propose recommendations to the minister about the act and regulations as they pertain to occupational diseases.

It's not clear how these three additional members appointed by the minister are qualified to do that. This goes back to the last amendment that I was talking about, talking about the concept of merit, the merit of those people, the competency, the ability of those individuals to be able to bring forward recommendations, to be able to bring forward reasonable and valued advice to this occupational disease and injury advisory committee or to the minister. If the

minister has to choose from the list of three persons that are not nominated through an independent process or through a small pool of applicants, we risk people being on the committee that would only hinder it, not help it.

This amendment is to ensure that the occupational disease and injury advisory committee consists strictly of qualified individuals. Again, as I mentioned about the last amendment that I brought forward, this is about being able to have qualified people who have the ability to do what they need to be doing in a way that's going to be good for both the workers and the employers. So I would recommend that all the members of this House vote in favour of this amendment. I do believe that it's going to make this bill better.

Thank you, Madam Chair.

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

**Ms Gray:** Thank you very much, Madam Chair. For reasons similar to the previous debate's, I disagree with the member opposite, and I'm not in favour of this amendment. It also removes the ability to provide reasonable travelling and living expenses for members of this occupational disease and injury advisory committee, which I am not in support of because it's really important that we make sure that our occupational injury and disease information is kept up to date.

This advisory committee was recommended to us by the panel and, I think, is a very important piece of Bill 30, making sure that we have up-to-date occupational disease and injury information. Given that right now we are dealing with a list of diseases that was crafted in the '80s and hasn't been updated, making sure we have that up-to-date information is important. Having the small and reasonable travel and living expenses be able to – oh, sorry. It's just the remuneration that they are striking out with this amendment. My apologies. I'm incorrect there. Not allowing the government to pay remuneration to the members, I'm not supportive of.

Who we want on the occupational disease and injury advisory group: it's going to be people who are physicians, who are representative of the three interests, as we've talked about. Making sure that we can have committed people who are able to advise us on the occupational disease and injury advisory committee is important, so I will not be supporting this amendment.

Thank you, Madam Chair.

**The Chair:** Any other members wishing to speak to amendment A6?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A6 lost]

[Several members rose calling for a division. The division bell was rung at 4:58 p.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Ellis	MacIntyre	Smith
Hanson	McIver	Strankman
Hunter	Pitt	

5:00

Against the motion:

Anderson, S.	Gray	Nielsen
Carlier	Hinkley	Payne
Carson	Horne	Phillips
Ceci	Jansen	Piquette

Clark	Kazim	Rosendahl
Connolly	Kleinstauber	Schmidt
Coolahan	Larivee	Schreiner
Cortes-Vargas	Littlewood	Shepherd
Dach	Luff	Sucha
Drever	Mason	Sweet
Eggen	McKittrick	Turner
Feehan	McLean	Westhead
Fitzpatrick	Miranda	Woollard
Goehring		
Totals:	For – 8	Against – 40

[Motion on amendment A6 lost]

**The Chair:** We're back on the main bill. Are there any further questions, comments, or amendments? The hon. Member for Calgary-Elbow.

**Mr. Clark:** Thank you very much, Madam Chair. I have an amendment to present.

**The Chair:** This will be amendment A7.  
Go ahead, hon. member.

**Mr. Clark:** Thank you very much. I'm moving this amendment on behalf of my hon. colleague the Member for Calgary-Mackay-Nose Hill, that Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be amended in schedule 1 in section 75(1)(a) by adding the following after clause (iv):

- (iv.1) evaluation of worker safety training, education and research with respect to effectiveness and accessibility by all workers in Alberta;
- (iv.2) translation of worker safety information and outreach with respect to workers who do not speak English or speak English as a second language.

Madam Chair, this amendment would add to the creative sentencing options for employers who do not respect or protect the safety of their workers. It explicitly adds to the list of available creative sentencing options to fund translation, outreach, and evaluation in support of worker training, safety, education, and other initiatives.

I note that the existing section 75(1)(a) and the subsequent subsections allow for the court to use a variety of different measures, including:

- (i) training or educational programs regarding the health and safety of workers;
- (ii) research programs into the diagnostic, preventative or remedial aspects of worker health and safety;
- (iii) any worker health and safety initiative by a non-profit organization;
- (iv) the establishment and maintenance of scholarships for educational institutions offering studies in occupational health and safety and related disciplines;
- (v) any other purpose that furthers the goal of achieving healthy and safe work sites.

The reason we've moved this amendment is to be very explicit that there are certain workers in our society who, with language, knowledge, or job security barriers, are among the most difficult to engage. It's very important that we have specific and explicit programs to engage such workers because those are the workers that often have the most reason to not rock the boat, Madam Chair. Again, this is an authentic – I hope the government sees it as really a genuine attempt to make this bill better, to actually improve it, to bring it to a place where it can genuinely help the most vulnerable workers in our society.

It is important that any employer who would ever consider preying on vulnerable workers should be shown a path or, frankly, compelled to be on a path where they can actually help those workers to access the information that they need and that they no longer would abuse workers in that way. If they have been found, in fact, to have done so, it's important that they're not only punished and penalized, held accountable for that, but they are put on a path where they could actually improve, which is why we would seek to amend this legislation to explicitly allow outreach and evaluation of worker safety initiatives to be one of the available creative sentencing measures. It would emphasize and reinforce that employers and others who have responsibilities to protect worker safety and rights also have responsibilities to work together to identify and reach the most vulnerable workers, who may not be well served by broad-based campaigns.

The amendment here to the proposed section 75 in schedule 1 is a practical action that those of us in this House can take to make the bill better and make it work for Alberta's most vulnerable and least integrated workers. Again, we shared this with the government ahead of time, and I would hope that they would see this as a genuine and common-sense effort to make the lives of some of the most vulnerable workers in Alberta better. Again, I would genuinely hope that the government would accept this amendment and ensure that Albertans are best served by this important piece of legislation.

Thank you.

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

**Ms Gray:** Thank you very much, Madam Chair, and thank you to the member. I would like him to know that I do see this as a genuine effort on his part to make positive amendments and to think about Alberta's workers and their needs, which I appreciate. He recognizes correctly that there are many vulnerable workers in Alberta, and we have been working hard to make sure that we serve them and their needs. I'm very proud of the work that our occupational health and safety team has been doing recently with the vulnerable worker inspection program, which I'd be happy to tell him more about at another time.

Specifically in this amendment, though, what he is suggesting is essentially covered in the clauses that we already have around education as well as allowing the court to decide how to use funds. So while I appreciate his genuine intent with this and the amendment that he's proposed, I will not be supporting it just because we already have what we need from these tools, making the amendment redundant.

I do want the member to know that I share his concerns about protecting Alberta's vulnerable workers. I think it's one of the key priorities for me as minister. The department has been working along those lines very well, and I'm quite proud of the work our occupational health and safety team does in these areas. Thank you to the member.

**The Chair:** Any other members wishing to speak to amendment A7?

Seeing none, I'll call the question.

[Motion on amendment A7 lost]

**The Chair:** Any further questions, comments, or amendments with respect to this bill? The hon. Member for Cardston-Taber-Warner.

**Mr. Hunter:** Thank you, Madam Chair. I'd like to propose an amendment, please.

5:10

**The Chair:** This will be amendment A8.  
Go ahead, hon. member.

**Mr. Hunter:** Thank you, Madam Chair. I move that Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be amended in schedule 1 in section 25 by adding “or the employer” after “When an officer inspects a work site, the officer.”

This amendment proposes that a representative of the employer, be it a lawyer or a member of a safety committee, et cetera, be permitted to accompany an OH and S officer during a work-site inspection. Now, this amendment will ensure that a representative of the employer is permitted to accompany inspectors while on the job site. Bill 30 eliminates the Occupational Health and Safety Council and transfers that authority to the Labour Relations Board. In doing so, occupational health and safety officers are granted extended powers, enumerated in section 51 of the bill. Given that officers have more authority, it is important that employers are protected and know their rights when an inspection is happening.

I want to point out here that I recognize that the difficulty with this bill is to be able to strike the right balance between employee and employer needs. If they become too draconian with regulations and with this bill on occupational health and safety and workers' compensation, then the problem is going to be that employers will just shut down. They'll just say, “We can't comply; we're not going to be able to continue on in our business,” and then they shut down. The concern that I'm bringing forward with this amendment, Madam Chair, is to be able to try to find the right balance.

With these extended powers given to the inspectors, I think that it is only right and fair that someone who's appointed by an employer have the ability to walk around with the inspector. This kind of shows more of a collaborative approach between the inspectors and the owners, supervisors, and so forth. So I would hope that the minister would consider this, I think, reasonable request in order to be able to provide that balance between the employee and the employer. Once again this is about being able to try to find that balance.

With that, I would hope that all members of this Assembly would vote in favour of this amendment.

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

**Ms Gray:** Thank you very much, and thank you to the member for this amendment. One of the challenges that I heard during the consultation, quite frankly, was from workers who felt that they were not engaged when an occupational health and safety officer is inspecting a work site. Section 25 specifically allows the officer to request the joint work-site health and safety committee co-chairs or their designates or, in a workplace with less than 20 people, a health and safety representative to be present at an inspection.

One of the co-chairs of the health and safety committee is the employer representative, meaning that the employer representative has been included in this process already. Making sure that the employer is aware of an inspection taking place and is present is the general practice now. What we want to do going forward, particularly now that we have joint work-site health and safety committees, is that we want to make sure that these bodies, who are responsible for understanding health and safety on their work sites, dealing with a potential incident or near miss, and working productively, are able to be included by an officer during an inspection of a work site.

I appreciate very much the amendment from the member opposite. I will not be supporting his amendment because one of the

co-chairs of the health and safety committee is the employer representative or the designate, as this section refers to.

Thank you, Madam Chair.

**The Chair:** Any other members wishing to speak to amendment A8? The hon. Member for Drayton Valley-Devon.

**Mr. Smith:** Thank you, Madam Chair. I want to thank the member for bringing forward this amendment. The purpose of amendments, as we said earlier today, is to bring forward additional changes, improvements to a bill. I believe that this amendment will do so, so I will be speaking in favour of this amendment.

Now, rarely does proposed legislation come before this House in a manner that is perfect. We can always bring in new ideas. The hon. Minister of Labour even spoke to that earlier today, saying that debate brings forward stakeholders and members of this Assembly on both sides to be able to address and to take a look at the bill and to be able to propose changes and amendments that will benefit it. I would argue that this does exactly that.

This amendment proposes that a representative of the employer, be that a lawyer or a member of the safety committee, be permitted to accompany the OH and S officer during a work-site inspection. Madam Chair, the inspectors have additional powers under Bill 30. Officers are granted those extended powers, and they're enumerated in section 51 of the bill. For instance, inspectors can instruct that equipment be operated or that equipment be confiscated or dismantled on-site. A representative of the business side of the equation would allow and would ensure that there is a proper cause for such a request.

Madam Chair, we're just coming out of, you know, a very deep recession, one in which many of the businesses in this province have suffered greatly. We've seen that in my small town of Drayton Valley. A third of our warehouse space is now empty as businesses have had to close their doors. We can see that it's going to be imperative, if we want to continue to see a recovery from this recession, that we ensure that businesses – small, medium, and large businesses – have the capacity to be competitive, have the capacity to make sure that there's a collaborative atmosphere as we move forward.

When it comes to Bill 30, we would suggest that making sure and ensuring that an employer is accompanying the OH and S officer would allow for these businesses to ensure that there are no shutdowns or equipment being confiscated or dismantled without good and reasonable and strong reasons for doing so. Having the employer there would allow them to feel that they are respected, that they're represented during an OH and S inspection. It could reduce, at the end of the day, instances of appeal. These things would allow business and OH and S to work together in a collaborative fashion. We would believe, you know, that the employer is not there to tamper with an investigation or to become an impediment to it but, rather, to observe and to advocate on behalf of the employer.

That's going to be very important if we're going to move forward and ensure that both the employer and the employee have a balanced relationship and that the capacity is there for the business to move forward in providing a working atmosphere that is both safe but also profitable. That's an important thing to have happen, Madam Chair, because if, at the end of the day, the employer is not profitable, then there won't be too many employees. We need to ensure that that relationship is solid and balanced and that we have the capacity, through this amendment, to ensure that that is indeed the case.

I would speak in favour of this amendment. Thank you, Madam Chair.

**The Chair:** Cardston-Taber-Warner.

5:20

**Mr. Hunter:** Thank you, Madam Chair. I just wanted to point out a little bit of clarity on this issue to the minister, and that is that it says in section 25: “When an officer inspects a work site, the officer may request the joint work site health and safety committee co-chairs.” The question that I have here is that they “may request” that. It doesn’t mean that they will or that it will happen. By adding the words “or the employer,” it allows the employer to possibly have requested a joint work-site health and safety committee co-chair be present at the inspection as well.

This is a just a way of being able to, again, find that balance so that they have that ability as the employer. They may choose not to, just as the inspector may choose not to. But that word “may” I think is really what has got industry and our stakeholders a little concerned. They have requested that we add “or the employer” so that it gives that balance, so that when they provide this, they have the balance of being able to say: “Okay. Well, if the inspector doesn’t feel it’s important” – they may not feel it’s important – “the employer may not feel it’s important as well.” I just wanted to make sure. That is important.

I think this is a very reasonable amendment that strikes the proper balance in this act and bill. Thank you.

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

**Ms Gray:** Thank you very much, Madam Chair. I just want to be very clear. The normal procedure for OH and S is for the officer to go through the site with an employer representative. That is what happens most often, but it is not required. If an OH and S officer sees a concern, they are able to go onto a site and look at or address that concern. Similarly, it’s not required for the joint work-site health and safety committee to go along either.

I really want to be clear that the normal procedure is for officers to go through a site with an employer representative. What we are doing here is to allow that the officer may engage the joint work-site health and safety committee – again, a mandatory concept introduced with Bill 30 – or the designate or a health and safety representative.

I would note that by making an amendment that says “or the employer,” it becomes optional, either the joint work-site health and safety committee or the employer, which I’m not sure is even the intent of what the member opposite is attempting to do with this. What I’m hearing, what I understand the policy intent is, is that employers should be and are part of any interaction and that employers are critical to occupational health and safety. Occupational health and safety officers work with employers very, very closely.

I will not be supporting the amendment because we currently already work with employers quite closely, and the amendment as drafted doesn’t do what I think the member opposite is hoping it would do, which is to require that employers be part of it because it is an optional “or the employer” here. But thank you to the member for your thoughts on this.

**The Chair:** Any other speakers to amendment A8?

Seeing none, I’ll call the question.

[The voice vote indicated that the motion on amendment A8 lost]

[Several members rose calling for a division. The division bell was rung at 5:24 p.m.]

[One minute having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Ellis	MacIntyre	Smith
Hanson	McIver	Strankman
Hunter	Pitt	

Against the motion:

Anderson, S.	Gray	Payne
Carlier	Hinkley	Phillips
Carson	Horne	Piquette
Ceci	Kazim	Rosendahl
Connolly	Kleinstauber	Schmidt
Coolahan	Larivee	Schreiner
Cortes-Vargas	Littlewood	Shepherd
Dach	Luff	Sigurdson
Drever	Mason	Sucha
Eggen	McKitrick	Sweet
Feehan	McLean	Turner
Fitzpatrick	Miranda	Westhead
Goehring	Nielsen	Woollard

Totals:	For – 8	Against – 39
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[Motion on amendment A8 lost]

**The Chair:** Are there any further questions, comments, or amendments? The hon. Member for Cardston-Taber-Warner.

**Mr. Hunter:** Thank you, Madam Chair. I would like to make another amendment. I’m actually quite hopeful on this one.

**An Hon. Member:** I love your enthusiasm.

**Mr. Hunter:** The night is still young.

**The Chair:** This will be amendment A9.  
Go ahead.

**Mr. Hunter:** I move that Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be amended in schedule 1 in section 77 by renumbering it as section 77(1) and by adding the following after subsection (1):

(2) Any financial support provided by the Minister for the purposes of subsection (1) must be distributed equally between organizations representing the interests of employers and organizations representing the interest of workers.

(3) The Minister shall publish annually, on the public website of the Minister’s department, a list of the agreements entered into under subsection (1) and the amount of financial support, if any, provided pursuant to each agreement.

Now, section 77 of Bill 30 allows the minister to enter into an agreement with any person, government, agency or organization for the purpose of

(a) carrying out research [about] the health and safety of workers

and creating training and operating programs in things like first aid and emergency medical services. The proposed amendment attempts to ensure that resources allocated for this purpose are not distributed in a disproportionate way to groups that are more inclined to support the government such as unions and that if any money is distributed, it is publicly accounted for on the minister’s website. This is an issue of, first of all, making sure that the distribution of any funds is done equally, and the second point to this is that there is transparency.

5:30

The minister has spoken quite eloquently, in defeating one of my other amendments, about the importance of transparency, but I will say that this is an opportunity. If the minister has the same belief

that that transparency needs to be there, then she will support this amendment because this amendment says that whatever money is distributed needs to be distributed equally, and most importantly it needs to be published on the minister's website.

The government is attempting to carry out ongoing safety training and research to keep up with emerging trends in occupational health and safety. The provisions outlined in section 77 of this bill will help to accomplish this goal. However, our primary concern is that there is no cap on spending or resources that can be allocated. Once again the question: this amendment actually didn't specifically talk about a cap, but it specifically said that we need to make sure that both sides of the equation are equally represented, nor is there a limit on who can be engaged by the minister to carry out work. Furthermore, there is no public discourse required for any money that is given out.

Once again the issue here, in my opinion, is transparency, to make sure that for this money that can potentially be given out to any of these organizations – boards, commissions, agencies – that money will be transparent, that we will know where that money is going. Rather than having to ask during committee, that could be presented to all Albertans at a moment's glance as they look at the website.

Now, one of the things that I've been following the last little while is the argument of dark money. It's a very interesting term. If the government votes against this amendment, they are voting against transparency, the transparency of where the money is going and who it's going to. The whole concept of dark money, according to the definition that I've heard from the members opposite, is: we just don't know where it's coming from or where it's going. If the members opposite decide to vote against this one – that's why I say that I was very, very excited about presenting this amendment, because I'm actually speaking to some of their greatest concerns about getting rid of this dark money concept. So I think that it's important, incumbent upon the members opposite to continue the narrative, to continue to make sure that they support that kind of a concept, the concept that they are against dark money, by voting for this amendment and making sure that there is no dark money in the operations of this government.

I would hope that all members opposite would be very supportive and that members on this side would be supportive of this amendment. Thank you, Madam Chair.

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

**Ms Gray:** Thank you very much, Madam Chair, and thank you to the member for bringing forward this amendment. The first thing I'd like to say is that this section is essentially a bring-forward from the previous OHS Act since it's not changed. It just continues something that currently happens. Within that process this paragraph, or this section, which is considered fairly standard so that the department can provide funding to fulfill the mandate, provides transparency through the Public Accounts process. We already have a mechanism through which questions can be asked, and this information can be shared around how research and educational programs are being supported.

I would mention that the member opposite talked about giving more support to one type of person or group than another. This is work that the department has been doing for, I assume, decades but has also been doing since I've become minister. This is not something that comes up to me directly. Rather, it's work of the department, and the transparency is provided through the Public Accounts process.

For those reasons, I will not be supporting this amendment, but I thank the member for bringing it forward.

**The Chair:** Any other members wishing to speak to amendment A9?

Seeing none, I'll call the question.

[Motion on amendment A9 lost]

**The Chair:** Any other further questions, comments, or amendments? The hon. Member for Calgary-Elbow.

**Mr. Clark:** Thank you very much, Madam Chair. I have an amendment to Bill 30, which I will hand to the page. I will await your receiving of this and await your instruction.

**The Chair:** This is amendment A10.

**Mr. Clark:** Thank you very much, Madam Chair. I move on behalf of my colleague the hon. Member for Calgary-Mackay-Nose Hill that Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be amended in schedule 1 in section 39(1) by adding the following after clause (c):

(c.1) development of educational materials and strategies explaining the rights of workers under this Act.

Madam Chair, this amendment is along the same lines thematically as my previous amendments here today. Really, what it does is that it proposes to ensure that the most vulnerable workers and those in most need of intervention and improved safety, who are also among those who actually have the least capacity to find out about and assert their rights under worker legislation – the occupational health and safety advisory council is there to enhance worker safety. That council as set up in Bill 30 has the ability to advise the minister on a variety of occupational health and safety matters. It's a good move by the government to create such a council or to provide it with the mandate that they have through this legislation, but again I think it's very important that we are very specific and more explicit about what exactly the duties of that council are. We know that the vulnerable and underrepresented workers in this province may lack the time, the language skills, the knowledge, or simple confidence to assert their protections and rights, so a direct and proactive outreach from the occupational health and safety advisory council is required to ensure that vulnerable workers are well reached and well protected by this legislation.

The amendment on pages 43 and 44 of Bill 30, section 39(1) of schedule 1: again, it's practical action that we can take to make this bill work better for the most vulnerable and least integrated workers. We want the occupational health and safety advisory council to explicitly focus on outreach and education especially and, again, explicitly to those workers who would receive, clearly, the most benefit from such education and outreach. I'm certainly not suggesting that the ministry or her department or any of the good people in the occupational health and safety group would ignore these workers. I know that they certainly do not, but we want to make sure. I think it's important, both for legislative and practical purposes but also symbolic purposes, to focus explicitly on that the occupational health and safety advisory council does in fact have an obligation to reach out and educate those workers on these matters.

I imagine the minister will tell me that these are things that are intended already through the bill or enabled already through the bill that, in fact, her ministry already does. If that's the case, I applaud that. Given that, though, there's no reason not to accept this amendment and no reason not to include it in the bill. One of the lessons I hope this government learns from, shall we say, the difficulties of Bill 6 was that there were a lot of things implied by what was missing. It allowed a vacuum where people could just



simply fill in whatever concerns they had, whether that was, in fact, what the government intended or not. This I see as actually the reverse of that, where the government will apply, imply, or suggest that certain education will happen – no need to actually put it in the bill – but we need the assurance that that actually will happen.

I would encourage the government, please, to support this amendment. It's a good, common-sense amendment that will proactively truly improve the lives of vulnerable Albertans and marginal workers across our province, which, I would hope, would be in keeping with both their philosophy and the intent of this bill. I would encourage all members on both sides of the House, please, to support this amendment.

Thank you, Madam Chair.

**The Chair:** Any other members? The hon. Minister of Labour.

5:40

**Ms Gray:** Thank you very much, Madam Speaker, and thank you very much to the member for once again thinking of Bill 30 through the lens of vulnerable workers and how we can best reach out to those workers and engage with them. He suggested – and he is correct – that this is work that the ministry and the department does, but they are only a piece of the puzzle. It's also work that nonprofit organizations like the Workers' Resource Centre and the Workers' Health Centre in Edmonton and Calgary do. There are other groups that are doing this work as well.

He says: well, then, why not also ask the council to do that? The reason is that the council is not set up for outreach. It is a part-time organization with members who really are only doing a little bit of work each month. These are not people who have a full-time job just sitting on the council. Because it's a part-time organization, it won't have the skill set or the resourcing to be able to engage in the development of educational materials and strategies explaining the rights of workers under this act.

That being said, making sure that vulnerable workers understand their rights is critical and something that the department takes very seriously, something that I take very seriously. We'll continue to work towards all methods that we can to engage with vulnerable workers and all Albertans, particularly now that, I hope, through Bill 30 we will have an updated occupational health and safety code. We want all workers to understand the three fundamental rights that they have. We want all workers to be able to know how to contact an occupational health and safety officer if there are concerns in their workplace. Outreach will be a very important piece of it, but giving that role to the council, which has more of an advisory nature, does not make sense. For that reason, I won't be supporting this amendment, but again I thank the member for his concern for vulnerable workers and reviewing this bill through that lens.

**The Chair:** Any other members wishing to speak to amendment A10?

Seeing none, I'll call the vote.

[Motion on amendment A10 lost]

**The Chair:** Any further questions, comments, or amendments? The hon. Member for Cardston-Taber-Warner.

**Mr. Hunter:** Madam Chair, I would like to move another amendment.

**The Chair:** This is amendment A11.

Go ahead, hon. member.

**Mr. Hunter:** Thank you, Madam Chair. I move that Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be amended in schedule 2 in section 23(1) in the proposed section 56 by (a) in subsection (3) striking out "Subject to section 68(1)" and substituting "Subject to subsection 3.1 and section 68(1)" and (b) adding the following after subsection (3):

(3.1) In computing net earnings for the purposes of this Act, no regard may be taken of the aggregate gross annual earnings of the worker in excess of an amount prescribed by order of the Board.

(3.2) An order referred to in subsection (3.1) applies only in respect of an accident that occurs on or after the day specified in the order.

And by (c) striking out subsection 18.

Now, the WCB Review Panel recommended maintaining the insurable earning level as it is prescribed annually by the Workers' Compensation Board Board of Directors. The actual amount of the cap, currently \$98,700, was adjusted over time to ensure that the earnings level covers 90 per cent of workers. Perhaps the cap could be higher than \$98,700 to accommodate higher income workers like some workers in Fort McMurray, but no cap whatsoever is going too far. In fact, Manitoba is the only province that has actually taken off the cap, and that is with caveats as well.

What the WCB Review Panel recommended instead was that a special graduated benefit be introduced for injured workers whose earnings exceed the maximum insurable earnings level. It would give the injured worker an additional benefit for a period of time up to five years to allow them time to adjust to a new level of income in the long term. Now, this recommendation that the WCB review panel made would have covered 99 per cent of all workers under the WCB.

I guess the question is – the minister often says that we need to be able to get in line with the rest of Canada and other jurisdictions. In this situation we are the outlier, and the concern that I have about being the outlier in this is: is this system actually sustainable, and will it provide for those workers who desperately need this in the future? What they are doing in this situation is that they are actually providing help for those people who could be maybe making \$500,000, half a million dollars, a year, 90 per cent of net earnings. These people a lot of times have the ability to get their own personal insurance, so I would have to say that this is actually an overreach and an overkill of what she's trying to accomplish with this bill.

With that, I hope that all members will support this amendment.

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

**Ms Gray:** Thank you very much, Madam Chair. What happens now with the 90 per cent cap is that a worker gets injured and immediately, when they are no longer earning their employment income but are instead receiving the benefits from the WCB, for that 10 per cent of workers that the member opposite referred to there is a drop in salary and in many cases a significant drop in salary. Not only is the worker dealing with the injury, with the rehabilitation, with caring for their family if they perhaps were the sole breadwinner or partial to the family unit, it's an economic shock on top of the physical shock and on top of everything that's happening.

In reviewing all of the recommendations from the panel, we looked at this one quite closely. The panel had offered a solution that, while complicated to read and explain, essentially means that the workers who make over the maximum insurable earnings cap of \$98,700, which is where it is today, would get a little bit more time but would still experience that earnings drop. So we have rejected the panel's claim because a worker who is injured deserves full compensation in our province.

We know that this applies to working people like those up in Fort McMurray. We know this can apply to nurses who are making more money than \$98,700. We know this can apply to any number of people in industries. When someone has coverage through the Workers' Compensation Board, we believe that making sure that they are fully compensated in the case of an injury is what that worker deserves for having given up the right to sue and to make that case through the court systems.

So I will reject the member's amendment, having considered this very, very carefully and listened to the feedback from working Albertans of all stripes through the very robust consultation process that we undertook in the WCB review. But thank you to the member for putting it forward.

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

**Mr. Clark:** Thank you, Madam Chair. I'll just speak very briefly on this in support of the amendment. One of the concerns I have with this bill is the entire removal of this cap. It would leave Alberta as the only province in Canada that does not have a cap of any kind. While I agree and acknowledge that the cap perhaps should move up, I believe there should be a cap. As it stands now and as I understand it, Alberta's current cap is the second highest in the country. Now, Alberta's wages are higher. Again, I think it's certainly fine to review and have a look at whether the cap is, in fact, appropriate – and I do think it should go up – but there should be one, and I think that there's some risk if we don't.

That's why I will be supporting this amendment. Thank you.

**The Chair:** Any other members wishing to speak to the amendment? Seeing none, I'll call the question.

[Motion on amendment A11 lost]

**The Chair:** Any further questions, comments, or amendments with respect to the bill? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

5:50

**Mr. Nixon:** Thank you, Madam Chair. I rise today in Committee of the Whole to speak on Bill 30, An Act to Protect the Health and Well-being of Working Albertans. I rise specifically today to address a portion of this bill related to workplace harassment and to clarify earlier comments I made in this House during second reading.

To be clear, Madam Chair, harassment and bullying of any kind, especially when it's sexual in nature, is completely and totally unacceptable. I know that as a man I can't begin to comprehend what countless women in workplaces across Alberta and around the world have had to endure when it comes to this kind of heinous behaviour. My colleagues and I are in agreement that this simply cannot stand.

Madam Chair, during second reading of Bill 30 I spoke at length about many aspects of this rather large piece of legislation. Briefly, I addressed the issue of harassment. In my comments I highlighted the fact that this is an issue that industry associations have been working on for quite some time. My intent was, first, to highlight the fact that this government did not adequately consult with industry before drafting this bill. If they had, they would know that a lot of good work has been done on this front over the last number of years, and this legislation would acknowledge that.

Second, Madam Chair, my intent was to make it clear that while I take no issue with legislating workplace harassment policies and indeed feel that such legislation is necessary, it by no means is sufficient. In my experience, meaningful change on issues like this is

driven from within the industry associations and their member companies to ensure that the training and tools that are necessary to assist in dealing with these situations appropriately as they arise are available. In that sense, simply writing out a law or forcing companies to draft a policy that sits in a binder on a shelf in the back of the shop is not enough.

At no time did I ever intend to argue that legislative workplace harassment policies were unnecessary or undesirable. But, Madam Chair, it has been brought to my attention that my words in this House can and have been interpreted in a different manner, and that is why I stand today to clarify and reaffirm my support for workplace harassment legislation.

I would also like to take this opportunity to address some personal experiences that I had with respect to this issue, experiences that have been well documented today outside this House and which I did not bring up when I made my lengthy second reading speech. Specifically, I am the owner of a safety consulting company, and some 10 years ago, when a female employee of mine was sexually harassed by another subcontractor hired by my client to work on the same job site, I'm sorry to say, Madam Chair, that my organization and I as its president at the time failed to handle that incredibly complex and difficult situation properly. As a result, we failed our employee.

Had I known what I know now, I would have done things differently. As they say, Madam Chair, hindsight is 20/20. I would have retained counsel for my employee to represent her interest and to make sure she knew what her rights in that situation were. Most importantly, I would have terminated my contract with my client when it became clear that they were not taking the situation seriously.

I am not here to make excuses or to relitigate events that transpired over a decade ago, but I do wish to put on the public record how deeply I regret not taking these actions and that my company regrets not taking those actions and standing up for an employee as much as we should have.

To be sure, there are parts of this massive piece of legislation that we have a problem with, but the harassment portion is certainly not one of them. I appreciate the opportunity to clarify the record and make it clear where I stand on this issue.

With that, Madam Chair, I would like to move that we 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 had under consideration certain bills. The committee reports progress on the following bill: Bill 30. 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 Deputy Speaker:** Having heard the report, does the Assembly concur?

**Hon. Members:** Aye.

**The Deputy Speaker:** Any opposed? So ordered.

**Mr. Mason:** Well, Madam Speaker, that's my cue, I suppose. I will move that we call it 6 o'clock and that the House rise until 7:30 this evening.

[Motion carried; the Assembly adjourned at 5:55 p.m.]

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