



Province of Alberta

The 29th Legislature
Fourth Session

Alberta Hansard

Thursday morning, November 29, 2018

Day 56

The Honourable Robert E. Wanner, Speaker

Legislative Assembly of Alberta
The 29th Legislature

Fourth Session

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New Democratic: 53 United Conservative: 26 Alberta Party: 3 Alberta Liberal: 1 Freedom Conservative: 1 Independent: 2 Progressive Conservative: 1

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Legislative Assembly of Alberta

9 a.m.

Thursday, November 29, 2018

[Ms Sweet in the chair]

Prayers

The Acting Speaker: Good morning.

Let us reflect or pray, each in our own way. Today finds us in the middle of National Addictions Awareness Week. May we battle stigma and encourage education to better understand this devastating illness. May we support the loved ones whose lives have been upended by this disease. Perhaps most importantly, may we as elected representatives lead by example by being compassionate to those living with addictions.

Thank you, and please be seated.

Orders of the Day

Government Bills and Orders

Third Reading

Bill 29

Public Service Employee Relations Amendment Act, 2018

The Acting Speaker: The hon. Member for Edmonton-Ellerslie on behalf of the hon. Minister of Labour and minister responsible for democratic renewal.

Loyola: Thank you, Madam Speaker. I am honoured to rise and move third reading of Bill 29, the Public Service Employee Relations Amendment Act, 2018.

This bill proposes changes that will give more public-sector employees their constitutionally protected freedom to collectively bargain, remove restrictions on what can go to compulsory arbitration, and create more consistency for postsecondary institutions. One proposed change would be to remove restrictions that prevent five classifications of employees from collective bargaining. The five classifications of employees that are currently restricted from collective bargaining are systems analysts, budget officers, hearing officers, auditors, and disbursement control officers. When we looked at other jurisdictions in Canada, we saw that it was rare for these types of positions to be excluded from collective bargaining, so by removing restrictions on these employee classifications, we are giving these employees the same rights as their counterparts all across the country.

I'd like to point out that removing exemptions from the legislation does not mean employees will be automatically unionized. If this legislation passes, whether affected employees are unionized will need to be determined by employers and unions. Factors such as whether employees are in a supervisory role or have access to sensitive information could influence the decision on whether they should be part of a bargaining unit. The process for determining whether previously exempt positions will be unionized may vary, depending on the employer.

Another proposed change would remove restrictions on what can go to arbitration, like pension and job classifications. These proposed changes align with our essential services legislation, which states that all issues can be considered under collective bargaining. They would also give public-sector employees arbitration rules similar to those under the Labour Relations Code, creating more consistency for Albertans. Earlier this month government staff met with affected employers to discuss the

proposed changes to remove restrictions on the five classifications of employees and on compulsory arbitration. If passed, these changes would take effect on July 1, 2019.

Another proposed change would remove nonacademic staff at postsecondary institutions under the Labour Relations Code. Earlier this month government staff met with postsecondary institutions to discuss this proposed change, and postsecondary institutions provided feedback during the meeting. They were also given the opportunity to provide written submissions on how the proposed changes would affect them. We heard that this change could have a significant effect on postsecondary institutions and that they may need time to adjust. In response we're proposing that this change not take effect until July 1, 2022, giving postsecondary institutions more than three years to adjust. If passed, this change will create consistency for postsecondary institutions once implemented. It also means nonacademic staff will benefit from recent updates to the Labour Relations Code that are not in the Public Service Employee Relations Act.

If passed, Bill 29 would bring Alberta in line with the rest of the country by giving more public-sector employees the ability to collectively bargain and give public-sector employees similar arbitration rules to other Albertans and also bring all postsecondary staff under the same labour legislation, creating consistency for the postsecondary sector. I can only hope that all members of this Chamber will support this bill.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member. Just for a point of clarity, you are moving third reading on behalf of the minister?

Loyola: Indeed I am, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Member for Cardston-Taber-Warner.

Mr. Hunter: Thank you. Madam Speaker, it is a pleasure to be able to rise this morning, and good morning to you and to my fellow colleagues here this morning. We have had fairly robust discussions about Bill 29. Some things have come out that we didn't receive in the technical briefing. Actually, interestingly enough about this technical briefing: we were told as it was being introduced in the House that we would be allowed to be able to come to a technical briefing. It was a little spotty at first, and the information was not as forthcoming as we would have liked. However, here we are today discussing in third reading Bill 29, Public Service Employee Relations Amendment Act, 2018.

Now, I just want to talk first of all about what the bill is. The Member for Edmonton-Ellerslie, who just started the process here this morning, talked about those five classification exemptions. Those five classification exemptions include a budget officer, a systems analyst, an auditor, a disbursement control officer, and a hearing officer. From what I can understand, the reason why these were exempted in the past is because the information that they had for the employer was sensitive information, so when going into collective bargaining for these individuals, to be part of a union would be a conflict of interest. These five classifications were exempted and were kept from being part of the union, which was a prudent approach because, as we like to say on this side of the House, it's important to have the proper balance. Unfortunately, by taking away these five classification exemptions, it actually balances it in favour of the unions.

Now, I guess I'm not surprised at that as we have seen a plethora of bills coming forward in this House over the last three and a half years that have certainly stacked the deck in favour of the NDP's

union buddies. I get that. They are their biggest contributor. In fact, some of the fees that every union member pays go directly into the NDP coffers, so I guess it makes sense that they're going to be giving back to those people who are, I guess, helping them get elected the next time.

But let's just be one hundred per cent clear here. This is stacking the deck for their union buddies, and that is the main reason for this. The Member for Edmonton-Ellerslie stood up, and there were two things that he said. First of all, he said that most of the jurisdictions in Canada did not have that exemption for the five classifications, so we were just bringing it in line with the rest of Canada, but then he said that this will make it like everyone else in Canada. I don't know if you can actually have both of those; it's either most or everyone. I think there was a mistake in the statement that he made there.

You know, one of the things that I'm concerned about with those five classification exemptions being part of that union: he said also in his opening remarks that that does not mean that they have to be unionized. Now, in the context of this bill I would agree with him, but in the context of the last three and a half years I would not agree with him. They have certainly stacked the deck in favour of the unions in terms of union certifications. There was a situation where organizations received a remedial certification. They had no right – no right – no ability to vote. The Labour Relations Board slapped a remedial certification on them, and they were unionized. One day they weren't unionized; the next day they were unionized. This kind of heavy-handedness is exactly the reason why there needs to be balance between the employee and the employer and unions, yet this takes completely away that balance that we've had in the past.

9:10

You know, remedial certification is a big concern, and also taking away the secret ballot is a big concern. We've brought these issues up in this House many times, Madam Speaker, and it is something that we are hearing from employers and that we are also hearing from people who do not want to be part of a union.

Now, let's just carry on here with what is in this bill. It also talks about removing section 30, and that is what can go before a compulsory arbitration board. This can be very problematic as well. One of the problems that I see – and I'll just actually go through some of the things that they're allowing now. Section 30 basically said what an organization can bring before a compulsory arbitration board, and the things that were not able to be brought before were the organization of work, the assignment of duties, and the determination of the number of employees of an employer.

Now, let's just go with that last one, the number of employees of an employer. If this government is so sure that they're going to be able to balance their budget in 2023, which I'd like to talk about a little later on in my remarks, what would happen if the cleaners in every federal building decided that they were understaffed and that they needed to double the number of cleaners they had and took that to the compulsory arbitration board? The compulsory arbitration board now has the ability to say, "You know what; we're probably not going to give you double, but let's give you 50 per cent," and that knocks off the budget of this government. How are they going to be able to go back to Albertans and convince them that they have a firm grasp on their budget and their ability to be able to get out of deficit territory? When you take section 30 out, I can't see how they're going to be able to do that.

This bill talks about the timelines in implementation as well. We took a look at what the universities were asking for in terms of their nonacademic staff, bringing them into their union fold and making the changes. What they realized is that this is a monumental task. There are almost 19,000 nonacademic staff, and I recognize that not

all of these are going to be affected by this five-classification exemption, but there are 19,000 PSERA staff. These individuals are now going to be affected materially by this legislation. Universities have said: give us two to four years in order to be able to implement this. We brought forward reasonable amendments to their start date timelines, and each of those was rejected by this government. Very disappointing as they had already been asked by the universities to be able to have these longer timelines, yet we're seeing the first implementation of the first sections, 1 through 7, from what I understand, by June 1, 2019, a mere six months from now. This isn't enough time. This isn't enough time for universities to be able to get their HR and legal departments onboard, and this is something that is very concerning. That was the other thing that we saw as a concern for this bill.

The other thing that I wanted to talk about with this is: why the need for this government to be able to move from courts being able to decide action or direction to legislation being able to decide that? Yesterday I talked about eight different court challenges that the AUPE had initiated in order to be able to change the section 12(1) provision in particular, which basically said that PSERA is a violation of section 2(d) of the Charter. This has been brought forward eight times at least in the course of a little over a decade. Each time, Madam Speaker, those courts have ruled in favour of the universities and PSERA.

Each time they have said that there is no Charter challenge, yet we see a situation where this government has said – in fact, the minister stood up yesterday if you'll remember – that they are quite confident that this is a Charter breach, that 12(1) is a Charter breach, so they are going to bring forward legislation. Now, if that is the case, why would they need to have a blunt instrument such as legislation to be able to do this, when in reality they have the courts? If they really felt there was a case, then they could take that case before the Supreme Court, let AUPE, in due course, do a Supreme Court challenge.

When I asked that question yesterday, asked for clarification on that, the minister was silent, would not answer that question, which is telling. Which is telling. We're in the dying days of this government according to all the polls. This government is moving as fast as they can in order to be able to help bolster their union buddies, and here we're seeing how they're throwing principle out the door in order to be able to use a blunt instrument to be able to get what the unions have been trying to do for the last decade. This is the sort of thing that's appalling to Albertans, it's appalling to this side of the House, and I'm calling them out on it. This is something that this government will be held responsible for.

The next question that needs to be asked is: does PSERA want to be AUPE members? Do they want to be rolled into the AUPE? The nonacademic staff that I talked to were not interested in that. They did not want to be a part of that. They felt that PSERA was doing a fine job and that they needed to have that representation where it was. I don't understand why this government – well, actually, I do understand why this government is doing this. They're doing it because AUPE is a major contributor to their campaign to win the next election.

Now, that being said, Madam Speaker, I want to get back to this issue of the government's claim that they can balance the budget. If they do measures such as this, which is going to allow this kind of collective bargaining for issues like how many employees you can have in a government organization or a public organization, this is just one indicator that Albertans are concerned about, that this government has zero interest in balancing the budget.

One of the things that I think is telling and one of the other issues that Albertans are concerned about is how they want to get to a path to balance. There was a CBC article on March 22, 2018, Alberta

Betting on Pipelines to Balance Budget. In it it says, “Alberta’s path to balanced budgets is built on hopes for construction of three new pipelines, including the controversial Trans Mountain expansion, plus reaping extra revenue generated by the federal carbon tax.” I remember the Finance minister saying that it was only built on two of the three, yet back in March they were saying how their ability to balance the budget was based upon three pipelines.

9:20

Then it goes on to say, “Plus” – so not just those three – “reaping extra revenue generated by the federal carbon tax.” Since March this government has waffled. They have gone all over the place. They have now said that they’re not going to increase to the \$50 federal carbon tax until they get Trans Mountain built. This is a situation where Albertans are receiving mixed messages. It’s the same thing with this bill. With this bill it’s a mixed message. They cannot in good conscience tell Albertans, “We are going to be good stewards with your money; we are going to be good stewards with your tax dollar,” yet they bring in these types of things.

I just don’t know how they’re going to sell it to Albertans. How are they going to sell to Albertans that they can actually balance their budget by 2023 when they bring in all of these things that say that they can’t balance their budget by 2023. Granted, this differential has thrown everybody under the bus. Albertans are hurting terribly from it. But there are measures that this government could do, measures that they could implement. Our leader has given them a complete, fulsome plan about how to be able to address this issue of the differential. Yet what are they doing? They’re consulting more.

I would have to say that I don’t know whether or not this government is that committed to being able to get our resources to market and getting our resources a proper, fair value. Certainly, what we’ve seen in the past is pipeline protesting, anti-oil and gas protesting, yet now we see a complete 180 change. Again, that’s a hard thing for Albertans to believe, that these guys are genuine in their approach and what they’re saying.

I’ve tried to explain what I think are the concerns with this bill. I’ve tried to explain what I think is a reasonable reason why we’re not going to be in support of this bill. The timelines are not there. The universities have asked for a longer timeline. The nonacademic employees that I’ve talked to do not want to be part of the AUPE. This wide-sweeping change to who can go before a compulsory arbitration board is a very big concern.

With all of this taken into account, Madam Speaker, as we’ve tried to talk and figure out what this bill is, we have come to the realization that this is just the same old NDP approach to the economy and to our society, to give their union buddies what they’re looking for, give their union buddies their due, and hopefully those union buddies will take them to a win in the next election. This is no longer about what’s good for Albertans. It’s about what’s good for their political fortunes.

It’s the saddest thing to see, Madam Speaker. We’re supposed to be in here – we’re supposed to be in here – thinking about what’s best for Albertans, and in reality all we see is this cynical approach to what’s best for their buddies. You know, with all the talk and the rhetoric that we’ve heard from this government, the talk and rhetoric of them being such a champion for the little guy, such a champion for all Albertans and every Albertan, “We’re not happy until every Albertan is benefiting,” the things that we’re seeing here definitely don’t validate that.

With that, Madam Speaker, I will not be in support of this legislation passing third reading, and I would encourage all members of this House to vote no on third reading of this bill. Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to the bill? The hon. Member for Cypress-Medicine Hat.

Mr. Barnes: Thank you, Madam Speaker. Good morning to all. Good morning to you. I’m pleased to rise and speak today on Bill 29, the Public Service Employee Relations Amendment Act, 2018. Bill 29 amends the Public Service Employee Relations Act, the Post-secondary Learning Act, and the Labour Relations Code.

Madam Speaker, I understand that there are three changes being proposed. First of all, repealing five position classifications from a list of exclusions from the bargaining unit, repealing the provisions that restrict which matters may proceed to a compulsory arbitration board, and transitioning nonacademic staff at public postsecondary institutions from PSERA to the Labour Relations Code, giving them full compulsory interest arbitration rights.

It’s an interesting bill, just to sit and read it and read our brief. There are so many things to get your head around, and whenever that happens, Madam Speaker, I immediately wonder why the government is rushing things. Of course, we know that we are almost on the edge of an election. Of course, we know that the Alberta economy and the oil differential are huge – huge – concerns to all Albertans, to all Canadians for that matter. But this government, as we’ve seen so often in three and a half years, is absolutely determined to change the culture and the nature and the economic balance sheet of Alberta and fully intends to plow ahead despite the consequences, intended and unintended.

You know, Madam Speaker, I understand that my hon. hard-working colleague from Cardston-Taber-Warner twice made amendments to delay the timeline a bit to allow our good, good Alberta public servants, our Alberta managers, our universities, our boards of governors, our politicians, our legal people, any Albertan that cares a chance to reflect on this, a chance to offer their two cents, a chance to help get it right. Of course, those two amendment attempts were defeated. This government is plowing ahead – plowing ahead – before the spring.

Of course, Madam Speaker, I’ve stood up several times over the years and talked about how so many of these bills should go to committee, a committee where the main thing is that Albertans with expertise, Albertans who are ultimately going to have to be paying the taxes, Albertans who are ultimately very much, and fairly, in receipt of the payments, whether it’s income or pensions or whatever, have the opportunity for their voices to be heard. Of course, any time that we on the opposition side try to have reflection, to put in the time so that Albertans can be involved or experts can get it right or Albertans can give us their good, good ideas, it doesn’t happen.

This government is absolutely determined to change our culture, to change our economy, to pile the debt on into the hundred-billion-dollar range. Madam Speaker, so many parts of this bill, Bill 29, the Public Service Employee Relations Amendment Act, appear to have not had the benefit of that full consultation, that sober second thought, that time for reflection. Again, I think the government, you know, in hindsight will be measured on that and the intended consequences and the unintended consequences. Unfortunately, too much of that will be the damage they have done to Alberta, our families, our communities, and our economy.

There are kind of five areas that I want to talk about in particular when it comes to Bill 29, the Public Service Employee Relations Amendment Act. Those areas, Madam Speaker, are around this government’s pledge to balance the budget, which, of course, according to their election campaign was supposed to be met this year, not missed by the \$9 billion that our Finance minister and Premier missed it by. Secondly, unintended consequences, Madam

Speaker: what can happen so often when these things happen. Third, I want to talk about equity. I want to talk about autonomy. Then I want to talk some about labour peace as well.

9:30

I guess let's start with unintended consequences. One of the clear goals of the three changes – or is it the removal of section 30? – does have the potential to have consequences on government spending and on taxpayer obligation. Of course, that removal allows the union, if it's formed, and some of the existing unions the opportunity to go to the board and arbitrate on so many more things. My hon. colleague from Cardston-Taber-Warner talked about how if a staff decided they needed more employees, it may happen: no regard for the budget, no regard even for the Finance minister. Can you imagine if the Finance minister really means that he wants to balance the budget and he has to add 4,000 more employees to the payroll? How in the world is he going to be able to do that?

How in the world is he going to be able to send a strong signal to bond-rating agencies? Madam Speaker, I don't feel I have to remind this House that our Finance minister has had his credit record downgraded six times. Six times. When I looked two days ago, the Alberta government is now borrowing, at 3.3 per cent, billions of dollars. It's billions of dollars of interest on the approximately \$50 billion that's outstanding. I think that in October we the people, we the taxpayers of Alberta borrowed almost \$3.2 billion. At 3.3 per cent, that's \$100 million of interest, give or take, \$100 million every year. That's just on one-eighth of what bills this NDP government has rung up.

Now, you're a rating agency. You're a person whose obligation is to get it right as to the financial shape that Alberta is in, and you realize that yet another part of what may cost the Alberta taxpayer is out of Treasury Board's hands. That bill may go up. Is that more or less likely to give us a worse rating? Madam Speaker, I know what I would do. Business loves certainty. Business needs certainty. Bond ratings are the same. They want to see a plan where expenses have some relation to revenue, where debt is only taken on responsibly and managed responsibly. Madam Speaker, it's clear that this bill, this yet NDP way of attacking what has worked so well in Alberta for so long, is going to have huge unintended consequences.

You know, let's not even talk on the macro level; let's talk on the micro level. Earlier this year, in March, the University of Alberta board of governors issued a 4 per cent cut – a 4 per cent cut – in response to the tuition freeze imposed on them. The Non-Academic Staff Association president, Elizabeth Johansson, said that in the past few months nonacademic staff positions were eliminated and people on contract were told their positions would not be renewed. Moving nonacademics from this PSERA to the labour code stops the board of governors from being able to change their remuneration, potentially. But where is the budget going to find its level? Where is the consequence going to come out?

I am very, very concerned that this removes a lot of autonomy from our excellent colleges and excellent universities. Madam Speaker, we're so fortunate that places like Medicine Hat College, the University of Alberta, the University of Calgary, my goodness, the University of Lethbridge have an excellent reputation for education. There are so many schools; obviously, I can't list them all. But those reputations and that service to our students, of course, mostly Albertans but all Canadians and people from around the world – that reputation for that good work has been earned carefully over tens and tens and in some cases hundreds of years. If all of a sudden the board of governors at the U of A realizes that they may not be able to control 3 per cent of their budget – I have no idea what the number would be – well, maybe the prudent thing to do,

maybe the cautious thing to do is not to innovate, not to expand. Maybe the cautious thing to do is – well, you've got to make sure that you can pay your bills at the end of the month, at the end of the year. My goodness, I think that's any family, any business, any institution: make sure you meet your obligations.

You know, I'll digress to the Medicine Hat College for a second, how hard they work and how hard they innovate to look at trades and technology but at the same time add programs, four-year programs in conjunction with – I think Mount Royal and the U of C are the two main ones. Regardless, they keep working hard to find new ways so Albertans, of course, in my case, particularly from southeastern Alberta, have the opportunity to receive top-quality education close to home. Madam Speaker, I'm a believer that if you take away autonomy, if you take away authority, if you take away the ability to control making sure that you're being able to cover all your expenses from your board of governors, the unintended consequences may be serious. It may lead to a further decline in what this government has done to our education.

You know, I want to talk for a sec about the necessity of this, and I want to say why this NDP government's rush to change the culture and the makeup of Alberta surprises me so much and why I wonder – wonder – what the necessity of it is. Madam Speaker, I don't remember too many strikes in Alberta, so that tells me that we have pretty good labour peace. Thank goodness that Alberta has so many quality, quality public servants. Thank goodness that Alberta has so many hard-working people that every day show up to do their best to make an imprint on Alberta's future and our kids and our innovation and our technology. My goodness, we all know it's such a fast-paced, informative world right now that we have to be as good and as competitive as we can.

You know, Madam Speaker, I sit here and wonder. I remember reading about a year ago that Alberta had the highest wages in all of Canada, okay? We've got labour peace, and we've got the highest wages in all of Canada. And then I've seen the CFIB put out things that suggest that public service wages are comparable to 12 per cent higher than equivalent work in the private sector. Now, I absolutely know that to draw a comparison from one job to another across private versus public sectors, with different profit versus community or government objectives . . . [Mr. Barnes's speaking time expired] My goodness.

Thank you.

9:40

The Acting Speaker: Thank you, hon. member.

We now have 29(2)(a). Are there any members wishing to speak?

Seeing none, are there any other members wishing to speak to third reading? The hon. Member for Barrhead-Morinville-Westlock.

Mr. van Dijken: Thank you, Madam Speaker, and thank you for the opportunity to speak to third reading of Bill 29, Public Service Employee Relations Amendment Act, 2018. I understand that Bill 29 is set to do three main things, three big things: the first one is to repeal five position classifications from the list of exclusions from the bargaining unit; second, repeal the provisions that restrict which matters may proceed to a compulsory arbitration board; and thirdly, transition nonacademic staff at public postsecondary institutions from PSERA to the Labour Relations Code, giving them full compulsory interest arbitration rights. At first glance these appear to be reasonable, but as the expression goes, the devil is in the details. When one scratches the surface and takes a deep dive, there are concerns here with Bill 29.

It appears the government is repealing section 12(1)(f) as part of some kind of deal with AUPE to get them to move on other areas

in collective bargaining. Individuals in the five positions under section 12 were previously excluded because these people were privy to sensitive information. Now, Madam Speaker, that fact has not changed. Section 12(1)(f) presently reads:

A person employed by an employer

- (f) in a position classified under the Public Service Act as
 - (i) a budget officer,
 - (ii) a systems analyst,
 - (iii) an auditor,
 - (iv) a disbursement control officer, or
 - (iv) a hearing officer who hears matters under the Provincial Offences Procedure Act,
 or performing for an employer substantially similar duties to a person employed in any of these positions.

In a number of decisions decided by the Supreme Court, the Alberta Labour Relations Board and the Alberta Court of Queen's Bench have both ruled that section 12(1)(f) is constitutional. Now, we've been hearing that the current government believes they have a case here that it's not constitutional, but a number of decisions have shown us otherwise. I cannot understand why one would want to unionize auditors and hearing officers, for example. These individuals will have definitely been exposed to sensitive information of their employer, and this would possibly put that information into the hands of those that are not supposed to be privy to it. It looks like a conflict of interest, oversight and adjudication all belonging to the same group as the front-line staff: a union.

Next up the NDP want to remove section 30. The removal of section 30 does have the potential to put the government even further into debt. We see where the potential for a loss of the ability to have control over hiring and control over numbers of staff can have a significant impact on the bottom line of the government. Madam Speaker, during a time of economic crisis the government should be focusing on the economy and jobs. Instead, their focus is on making changes that will make things more expensive for the taxpayer.

Madam Speaker, it's been three and a half years that I've been elected as an MLA, and over those three and a half years I've watched a government move in a direction that follows their ideology without fully comprehending the reality that is before us. We take a look at the significant impact of the downspin of an industry over the last three years, and I believe this government has been five steps behind throughout the whole last three and a half years. It appears that they're finally moving, trying to get into a position of having product moving to markets and accessibility to markets abroad for our oil and gas industry.

Madam Speaker, here again I look at NDP inaction on focusing on the real job at hand of ensuring that the economy and jobs are paramount and that we have the ability to actually take care of the people of Alberta and the social responsibilities that we have in our governance structure, take care of the needs of the market, the needs of the entrepreneurs and the employers within an economy, and many of the social needs that we are expecting as Albertans will take care of themselves.

Section 30 reads,

- (1) A compulsory arbitration board may only consider, and an arbitral award may only deal with, those matters that may be included in a collective agreement.
- (2) Notwithstanding subsection (1), none of the following matters may be referred to a compulsory arbitration board and provisions in respect of the following matters shall not be contained in the arbitral award of a compulsory arbitration board:
 - (a) the organization of work, the assignment of duties and the determination of the number of employees of an employer;

- (b) the systems of job evaluation and the allocation of individual jobs and positions within the systems;
- (c) selection, appointment, promotion, training or transfer;
- (d) pensions.

The NDP want to eliminate that law from the Public Service Employee Relations Act, Madam Speaker.

Then we have the transitioning of nonacademic staff from the Public Service Employee Relations Act to the Labour Relations Code. Almost 19,000 employees, Madam Speaker, will be directly affected, and this needs to be done democratically. Once again it appears that the NDP does not want to consult with Albertans and employees. The coming into force date of June 1, 2019, doesn't give the universities enough time. The universities' recommendation of an implementation date is, you know, two to four years, and here we're giving them six months. I believe we haven't given them full consideration in the recommendation that they have given.

Some of the excluded employees do not want to be unionized and are waiting to see the result of these fights to determine what happens to their jobs. They have not been asked what they want. This is not democracy. Thousands of employees will be directly affected. This needs to be done democratically.

Should there not also be a choice of union that they will be a part of? Maybe the nonacademic staff don't want to join the AUPE. Maybe they want to join another union, whether it be Unifor or whichever. This appears to be a case of the NDP making a side deal with the union, in this case the AUPE. Why else would they take an issue that the union has been losing in court for a decade and say that they have to do it to uphold the Constitution when the courts have said that the law is constitutional already? I dare say it is because the NDP is in a conflict of interest with the union because the union leadership gets guaranteed seats on the board of directors of the New Democratic Party. Bill 29, I believe, is another part of serving their union bosses only without taking into full consideration the impact on Albertans and Alberta taxpayers.

With that, I thank you for this time, Madam Speaker, and for the opportunity to address my concerns with Bill 29.

The Acting Speaker: Thank you, hon. member.

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

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

Seeing none, I will now call on the Member for Edmonton-Ellerslie to close debate.

9:50

Loyola: Thank you, Madam Speaker. Before I close debate, I just wanted to address a few things, the most important of which is that we need to recognize that in this province we have never really had labour peace. In fact, I remember, before this NDP government being elected, a number of times being out on the steps of this very Legislature with other union representatives, other union members, fighting for the rights that we should have. [interjections] Now, I see that the members across the way are chuckling. They're laughing at that. As a member of a union, you're part of a democratic institution.

See, this is the thing that Albertans need to know really well, Madam Speaker. You know, the members across the way try to accuse us of being ideological, but I can see no other members in this House that are more ideologically entrapped than those members from across the way because they are ideologically opposed to unions here in the province of Alberta. That's what their comments lead to. I want to remind them that unions are democratic institutions whereby the leadership of those institutions are

democratically elected. I've gotten up in this House and talked about that before.

Now, my concern is that the members across the way think that in a free-market society organized labour should not exist. [interjections] I think I heard a "that's true" over there if I'm not mistaken.

Mr. McIver: I said "it's not true."

Loyola: I have to ask if the members across the way even understand the Labour Relations Code. The fact that this government has focused on updating that code and, of course, occupational health and safety right here in this province – we've dedicated so much time and energy to doing that. Why? Because the workers of this province have been asking for this for decades. For decades they've been asking for this.

You know, across the way the members will be like: oh, some of the members don't want this. Well, I have to remind all the members of this House that the plural of anecdote is not data. You could hear one story here, one story there, and one story, but the important part is that you put all this information together, you study it, you use statistics, and you understand: what do the majority of the people want?

I can speak to the fact that members of the Non-Academic Staff Association, not just the leadership, actually came to this government. Not only did they come to this government, but they also came and spoke with several of the members of this House and specifically requested that which is being done in this bill.

I want to say, Madam Speaker, that it's about time because these changes that we're doing right now are what are going to lead to real labour peace in this province, making sure that workers feel that their rights are protected, that their rights are being considered, and that they're being treated fairly in this province. That's what this is all about.

With that, I'll close debate on Bill 29. Thank you very much.

The Acting Speaker: Thank you, hon. member.

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

[Several members rose calling for a division. The division bell was rung at 9:55 a.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[Ms Sweet in the chair]

For the motion:

Carson	Goehring	Payne
Connolly	Hinkley	Piquette
Coolahan	Hoffman	Renaud
Cortes-Vargas	Horne	Rosendahl
Dach	Jansen	Sabir
Dang	Kazim	Shepherd
Drever	Littlewood	Sucha
Eggen	Loyola	Turner
Feehan	McCuaig-Boyd	Westhead
Fitzpatrick	Miller	Woollard
Ganley	Nielsen	

Against the motion:

Anderson, W.	McIver	van Dijken
Ellis	Pitt	Yao
Fildebrandt	Schneider	

Totals: For – 32 Against – 8

[Motion carried; Bill 29 read a third time]

Bill 26

An Act to Combat Poverty and Fight for Albertans with Disabilities

Ms Fitzpatrick: Madam Speaker, I am pleased to rise today and move third reading of Bill 26, An Act to Combat Poverty and Fight for Albertans with Disabilities, and to do so on behalf of the Minister of Community and Social Services.

Madam Speaker, our government is so proud of this bill. We have been moved by the response of Albertans across this province. Albertans from my constituency and across Alberta have said that this change is long overdue. They want stability and predictability in their lives, just like all of us. They are tired of politics determining whether or not they'll make rent each month. I have heard, my colleagues have heard, and I'm sure the opposition has heard Albertans say that they don't want to see cuts to their supports, and they worry about what they are seeing in Ontario, south of the border, and about comments that have been heard about cuts that will hurt from a member across the Chamber. We have heard these voices loud and clear, and we are indexing benefits to ensure these supports will forever be protected and grow as the cost of living grows.

I want to thank the minister for listening to Albertans and, in particular, listening to my colleague the MLA for St. Albert, who has been such a vocal advocate for persons with disabilities. I have listened to Chris, Ben, Veronika, Bev, Dave, and so many others and provided that feedback to the ministry. They listened. Those Albertans who have struggled and struggled are part of our community, and I believe that we have an obligation to support our community, all of our community. This legislation not only provides better supports today to help them to do just that; it ensures AISH clients and low-income Albertans won't need to fight to afford the basics tomorrow. It provides stability and certainty that as the cost of living increases, so too will their benefit rates.

I have to reiterate a few comments from second reading which I feel are worth repeating. My constituents with disabilities, seniors, and those needing income supports have told me and showed me how they have struggled to pay rent and put food on the table. This legislation not only provides better supports today to help them to do just that; it ensures AISH clients and low-income Albertans won't need to fight to afford the basics tomorrow. I have repeated it now in this House three times, so I hope you've heard it.

The opposition leader in our Legislature has said that we should match the B.C. spending levels. That would mean Alberta AISH benefits would be cut by \$500 a month. I say absolutely not, and our government agrees that we cannot and must not do that.

Again, I must repeat this statement. Do you remember in the spring of 2015? The Premier at the time presented a budget which showed cuts across the board. A current member of the Official Opposition has said in the last couple of months that his party will cut and it will hurt. It sounds like the replaying of a bad record, a bad scenario for all Albertans, in particular vulnerable Albertans who are finally seeing some relief in their lives with this bill.

I am standing here today in support of this bill, and I'm doing so on behalf of all of my constituents and all Albertans. I must support it because it is making Alberta a better place for my constituents to live. I am proud to support this bill and to move third reading.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Member for Strathmore-Brooks.

Mr. Fildebrandt: Thank you, Madam Speaker. Pursuant to section 49 of the standing orders I move that this question be now put.

The Acting Speaker: Thank you, hon. member. Would you like to speak to the motion before we proceed to anybody else? No? All right.

Just to clarify for the House again, the motion for previous question serves to curtail the debate and after it is moved and carried, no further amendments to the main motion may be moved. The motion may be debated by any member who has spoken to the main question. Are there any other members wishing to speak to the previous question?

Seeing none, I will put the question to a vote.

[Motion carried; Bill 26 read a third time]

Government Bills and Orders Second Reading

Bill 30 Mental Health Services Protection Act

The Acting Speaker: The hon. Member for Calgary-Acadia on behalf of the hon. Deputy Premier.

Ms Payne: Thank you, Madam Speaker. On behalf of the hon. Minister of Health it is my privilege to move second reading of Bill 30, the Mental Health Services Protection Act.

It is fitting that we are debating this bill during National Addictions Awareness Week. Madam Speaker, when Albertans access substance-use treatment or mental health services, they should feel safe in doing so. They should be able to trust that they will receive quality services from appropriately trained and regulated professionals in a safe environment. This bill keeps a promise we made to Albertans in the Speech from the Throne this spring to introduce legislation that will protect Albertans seeking health care during a difficult and vulnerable time in their lives.

Albertans are often shocked to learn that service providers in this field are largely unregulated and that private treatment facilities are not regulated in any way. Our goal is peace of mind for patients and for their families.

Albertans who have needed this kind of help have shared stories about facilities that offered services of questionable value and in some rare cases were unsafe. On Tuesday you heard the story of Kim and Mike Argent, the parents of Taylor. In 2007, when he was just 17, Taylor died in a private treatment facility outside of Red Deer.

10:20

Taylor's parents believe that it was the lack of regulation and oversight at the facility that led to his death, and a fatality inquiry in 2010 agreed. In his report Judge J.A. Hunter noted that the facility didn't require certification from any body, governmental or otherwise, when it opened. There was no evidence that the facility was ever inspected by any agency of government. The operator had no formal training nor did most of his staff. Judge Hunter described the employee who was on duty the night Taylor died as "woefully unprepared to deal with anything out of the ordinary." What's more, Madam Speaker, even as Taylor's condition worsened, there was no attempt made by the facility to contact his parents or contact for help.

I'll quote directly from one of Judge Hunter's conclusions. "Anyone can start up a treatment facility and operate the same without any standards or measure of the care the participants receive." Can any member of this House imagine that statement being acceptable for a seniors' home, a child care facility, or any kind of health care facility? Yet here we are: a facility presenting itself as offering health care, but held to no standards whatsoever, with fatal results.

That was 2010, Madam Speaker, eight years ago. I think it's safe to say that the findings of Judge Hunter's inquiry and his recommendations were utterly ignored by the Conservative government of the day and by a series of Conservative governments that followed. Three Conservative Health ministers came and went, including the current leader of the Alberta Party, with no action taken. And the Argents, sadly, were not alone. Alberta Health is aware of dozens of complaints from patients and families describing steep fees, unethical business practices, ineffective treatments, and in rare cases abuse.

I am very proud that this government is taking action. This bill will finally provide Albertans with protection from this kind of exploitation. Initially the legislation will set out licensing requirements and standards for residential treatment facilities and provide a framework for future standards. It will also create a college of counselling therapy of Alberta to ensure professional practice standards.

Madam Speaker, a phased approach to implementing the proposed legislation will ensure that government balances the need for initial standards without creating onerous requirements on service providers that could shock the sector and lead to a reduction in services. It will require residential treatment facilities to have policies, procedures, and standards, including critical incidents reporting, consent in service standards and contracts, and clear record-keeping requirements. Over the next two years Alberta Health will work closely with service providers to establish common-sense standards that protect Albertans. This bill will give government the authority to follow up on any complaints, address concerns, and the ability to amend, suspend, or cancel a licence.

The legislation would also create new standards for substance-use treatment and mental health care professionals. Amending the Health Professions Act to create a new college of counselling therapy of Alberta will regulate about 5,000 currently unregulated health professionals working in Alberta's substance-use and mental health system. This will provide stronger assurances to Albertans seeking substance-use and mental health services that the professionals caring for them have the expertise needed to provide safe, quality care.

When we are sick or hurt, we assume that all of the people around us providing care are held to professional standards. This government believes Albertans have the right to the same expectation when they have a mental health or substance-use concern. These issues are health issues and should be treated as such. We've heard this call from many in the field, and I certainly note that the chair of the Federation of Associations of Counselling Therapists in Alberta was present at Tuesday's announcement. I'm proud that our government listened and is taking action. We would be the fifth province to regulate counselling therapists and the third province to regulate private residential substance-use treatment.

Madam Speaker, I would like to stress that there are many – in fact, the majority – well-run facilities and dedicated caregivers throughout our province, and this legislation will formalize the policies and standards that they are already adhering to.

Through Bill 30 we will ensure Albertans have access to safe, quality care when accessing residential substance-use treatment facilities as well as protections as consumers. I encourage all Members of the Legislative Assembly to support second reading of Bill 30, and I look forward to debating this bill with my hon. colleagues.

Thank you.

The Acting Speaker: Thank you, hon. member.

The hon. Member for Fort McMurray-Wood Buffalo.

Mr. Yao: Thank you very much, Madam Speaker. It is an honour today to rise in the House to Speak to Bill 30, the Mental Health Services Protection Act. This bill in its current form aims to solve two very real problems here in our province. The first is a lack of consistency and accountability for our health counsellors. In Alberta right now there are 14 different associations that represent the different sections of counselling, and that means there are 14 different practices, standards of best practice, 14 codes of ethics, and so on, and so on, and this leads to a great number of discrepancies between the various sections, which does not benefit Albertans necessarily nor result in better outcomes.

Mental health is a very real issue today that our society has now truly embraced and recognized, but I understand that for the last – well, since time began, really, mental health is one of those intangible things that people have, I suppose, looked at more cautiously. But as our communities experience life-altering events like fires in their communities or floods and other disasters, when people deal with the pain of the opioid crisis in our province, and so many other issues, what we see in our society is that identifying those people who aren't as able to cope with a lot of these harsh realities as much is very difficult.

Certainly, when I was entering the health professions back in the year 1991, way back, the most mental health training they gave us was the fact that they made sure that we had the ability and knowledge to talk about the things. What it boils down to is being able to talk about the things with someone that you trust, someone who understands – maybe they can show some empathy – but sometimes by talking about things, we come out with how to address and deal with these things.

In emergency services there were counsellors available, but we often trained our own people as well. I myself had a course on PTSD, that's posttraumatic stress disorder, and I would work with my co-workers if we identified that any of them had any issues after a call. But that doesn't make me a mental health therapist 28 years later.

I guess the point here is that we have to make sure there are certain standards because the issues that they're dealing with are very critical, and as much as anyone who has any of these weekend courses or other different levels of education currently provided, I understand their intentions are good, but unfortunately the skills and the qualities that they may actually possess may not necessarily address the issues of those individuals.

It's for those reasons that FACT-Alberta, who represented all 14 associations, campaigned for this government and this opposition and so many other people across the industry to regulate mental health therapists. I think this is a good thing. To that effect, we do need to thank them for being advocates for their industry, advocates for our mental health strategies, advocates to ensure that people do receive the appropriate help that they need by qualified personnel.

The college of counselling therapy of Alberta, that this bill seeks to create, would result in just greater consistency, and they would all be subject to codes of ethics, which is excellent. They'd all be bound by a strong set of principles that focus on patient care and outcomes, and more importantly, Madam Speaker, they will be held accountable if they choose to abuse the sacred trust they have with patients. As we've seen with our other health professions, they do have a sacred trust, and these people, who are mental health therapists, are no different. They are expected to embrace people and listen to them and deal with their issues when the people that they're addressing are at their most vulnerable moment in their lives.

10:30

Again, this bill helps to create more consistent meanings of the word "counsellors." I have a PTSD course from 20-plus years ago, but is that fair for me to say that I'm a counsellor or a therapist? I'd have to say no. But that said, it should not discourage people from having the ability to speak to anybody about their personal issues that affect their mental health. That is a point, to be able to speak to someone that you know and trust. Just talking does a phenomenal amount of help with people's issues when they address things.

There are other groups that have always emphasized mental health. I think that our law enforcement groups have always emphasized these things. Again, that's another group that deals with a lot of hard issues on the streets. These are very stoic professions: firefighting, EMS, law enforcement. You know, we don't like to say that we need help, especially with mental health, but certainly that evolution, that change, in our society has helped bring those things to the fore, and it's easier for nurses and even doctors and other health professionals to come forward and say that they do need some help.

We cannot take Alberta's mental health for granted. I'm glad that this bill seeks to clarify a lot of the issues that surround this topic. I am grateful that this bill aims to expand the titles available for counsellors. Again, this will allow the college to develop a scope of practice more specific to an individual's area of expertise. Overall, Madam Speaker, I think we can agree that a college of counselling therapy in Alberta is a good thing and will result in a better standard of care for all Albertans.

I guess that some concerns we have, that may have been addressed when we were briefed on this by your government, are the concerns around a lot of these smaller groups that provide therapy. For instance, a lot of the counsellors that we use for drug addictions – not a lot, but there are some – may not necessarily have the educational background, but what they have is the experience in actually being in that situation, being that victim of pharmaceuticals. Their experiences are great in that they can truly understand the perspective of being under those negative influences and how to try to help. It gives them a level of empathy that helps them to address the issues when they're listening to these people.

We have other groups like Alcoholics Anonymous and other similar groups that have counsellors and stuff like that. These are venues where we're just trying to encourage people to talk. I believe that this bill does not discourage these groups even though they are not perhaps, as we hope to obtain, qualified mental health therapists. They're simply – what's the word I'm looking for? They're certainly to facilitate the conversation. They get people to talk about their feelings and their emotions and their experiences with the hope that that verbalization will help their mental status.

[The Speaker in the chair]

Ah, Mr. Speaker. You're so fluid.

The second area that this bill focuses on in its current form is the licensing of residential addiction treatment centres. This is another good thing that comes from this bill. Currently anyone can open a centre, hypothetically, that deals with addictions and treatments. Again, they tend to be all over the board in regard to some of the positions that they hold within these organizations and the qualifications. Some of these groups charge, like, substantial amounts of money in order to treat these people. Again, we just want to give anyone who is entering an addictions facility or treatment centre the assurances that they are being helped and treated by qualified people. This is a good thing. This is noble.

You know, we've heard stories from individuals who've lost their lives while in the care of some of these organizations, and we

just need to make sure that these centres do have high standards in regard to their staffing. I recognize that when people lose their lives when receiving treatment, it's not necessarily the centre's fault. Let us be clear on that. But, again, it is about just ensuring that they do have a minimum standard so that we as a public have assurances that these facilities are good and real because many of these facilities require donations from community members, from Albertans, and we want to make sure that the money we're donating goes to a proper, legitimate cause that realistically addresses the issues.

Again, the standardizations that we're going to put in here I think are excellent. By bringing this bill forward in its current form, we are ensuring that these centres will be regulated and will have to adhere to a high standard of practice and that they would also be held accountable if they do not follow proper procedures. The procedures include the requirement to create and maintain records. They must also send records to directors, and if any of this is not done, the centre risks a licence cancellation and would be unable to apply for a new licence for two years after the decision.

The question I might have about this, though, is in regard to the volume of records that is being expected. Well, unfortunately, these are the things that come with regulation. Now, a lot of these small agencies, quite honestly, are going to be burdened by the fact that they do have to be held accountable, and their records are going to have to be that much more firm, and it will be difficult for them. There is also the financial burden that this creates. With all the work in becoming a legislated body and all the work in becoming licensed premises, they will have to invest money to ensure that their facility and their resources are upgraded and that their guidelines and everything else are up to date. Again, that all requires effort, which requires sometimes financial obligations. That is the one negative to this, I suppose, the increased financial burden but with respect to the fact that it is necessary.

You know, the bill, in regard to these regulations, in its current form also says that inspections will be randomly done from time to time, which will help hold these centres accountable. I think that's good as well. But, again, I wonder how it will affect things like the Edmonton Bissell Centre, the Calgary drop-in centre, and even the Lethbridge emergency centre, many of which are operated by volunteers with varying degrees of backgrounds in mental health. We don't want to discourage a lot of these things because it's important that people be given any opportunity to speak about their mental health issues, okay?

Our religious institutions. I know many people in this room might not value our religious institutions, but, you know, they provide a lot of support for our communities, and a lot of things that they do are providing mental health supports. When people need someone to reach out to, sometimes they walk into a church or something just to talk to someone. Again, I don't think that those are things that should be discouraged because the religious institutions I've talked to do have all the resources available so that when they recognize that someone has a need or something, they know which Alberta Health facility or what other supports, human services supports, are available to them, and they do guide them in those directions. It's just part of belonging to a society that overall really cares, and we have so many different areas trying to address the issues that are within our mental health.

10:40

If there is any guidance I could provide on this bill, it would be to tighten up the language used to describe a residential addiction treatment service. In its current use,

“residential addiction treatment services” means services provided to individuals who have an addiction in which overnight

accommodation is provided for all or part of the duration of the services and includes, without limitation, withdrawal management services, but does not include services provided in an approved hospital as defined in the Hospitals Act or services provided by a person or service provider exempted by the regulations.

Because no scope has been laid out in the bill's current form, that means that this would apply to emergency shelters, transitional housing, permanent supportive housing, special care and addiction treatment facilities, intoxication shelters, and detox shelters, all of which would fit in the current definition. So the wording of one night as the time component when describing addiction treatment service: it loops in so many of these other organizations that we utilize to help our most vulnerable. In everyone's community, in all 87 of our constituencies, we have some sort of shelter, some sort of system there where people can stay for the night. What's common are mat programs where it's just a heated space, a place that's safe. You're given a mat, and you can sleep on that mat. It's not the most luxurious of accommodations, and there are a lot of people that enter these facilities with a lot of issues. I myself in my previous career had to go to many of these agencies to pick up patients that were having issues.

Again, the way that the Mental Health Services Protection Act is worded, I just worry about impairing a lot of these facilities from providing these very basic services that amount to one night when their intent might not necessarily be to directly address mental health but just to provide support to people who might have issues or are homeless. What will be the impact on these organizations if they now have to purchase licences? On that I'm very curious. Again, it's the financial burden. This government puts carbon taxes on all these charities, carbon levy, and . . .

Mr. Fildebrandt: Tax.

Mr. Yao: . . . tax. But, again, with making a whole sector more regimented, there will be additional costs to everyone involved. I mean, is it going to be a couple of hundred bucks, or a couple of thousand, or several thousand? Those will be the interesting things to see.

What the college of counselling therapy is trying to mimic, though, is also reflective in all of our other medical professions. We've always had the college of physicians. They're the pinnacle, the peak, of our medical professions, a very well-established group that's self-managed. Over time all the so-called sub health professionals from paramedics to X-ray technicians and diagnostic imaging and lab technicians have all fought for that ability to become their own college and manage themselves and not necessarily be run by government. For that, I commend this group.

A lot of the unanswered questions in here, personally, I'm not too worried about because I've seen a lot of those unanswered questions in a lot of the other health professional groups as they evolved to become colleges. It's only when they sit down and develop that college do they try to address a lot of the issues that are inherently questions in this bill. As much as I'd love for this government to provide more clarity on that, I recognize that we are going to have to rely on the college to address a lot of those issues, a lot of these questions that we have. A snap of a finger and a piece of legislation and a book is only the beginning of that. This is an evolution that every health profession has done and this group will continue to do for many years to come.

This isn't something that we create and then set aside. This is something that all 87 of us have to monitor in our own communities, talk to those agencies and see how they're addressing the issues. Again, it's not just the official addiction centres. It is your local

faith groups. It is your local homeless shelters. It is your local counselling groups like your AADACs and whatnot. We've just got to make sure that their issues are addressed.

With that, Madam Speaker – Mr. Speaker. Sorry. Again, your fluidness just messes me up. I'd like to thank the government for introducing this bill, and I'd like to adjourn debate.

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

Mrs. Pitt: Just a point of order, Mr. Speaker.

The Speaker: There's a point of order?

Mrs. Pitt: The Member for Fort McMurray-Wood Buffalo moved to adjourn debate.

The Speaker: Did the member adjourn debate at the end? I'm sorry. I didn't hear that.

Mr. Yao: Yes, sir.

The Speaker: I'm sorry. Is there still a point of order?

Mr. Clark: Point of order, Mr. Speaker, if I may. I'm not convinced that the hon. member managed to get the words "adjourn debate" out before the time had expired. [interjections]

The Speaker: Are we on the point of order at this point?

Mr. McIver: Mr. Speaker, I just wanted to say that the hon. Member for Calgary-Elbow makes a good point, and we'd be happy to hear him speak. We withdraw our point of order is, I guess, what I'm saying.

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

Mr. Clark: Thank you very much, Mr. Speaker. It is always an honour to rise in this House and speak to any legislation, but speaking to an important piece of legislation such as Bill 30, which really speaks to the heart of one of the issues that is most important to our province and our communities and something I hear a lot about in my constituency office and in my travels and talking with Albertans, both my constituents in Calgary-Elbow and beyond, and that is mental health.

You know, I just want to start with picking up on some of the comments made by the Member for Calgary-Acadia, and I just want to express my disappointment at the opportunity that she took to take partisan shots at the Alberta Party leader and former Health minister, Stephen Mandel. What is so disappointing is that this is a piece of legislation that I think very likely we will support on this side of the House, and I just think that it really does a disservice both to the importance of the topic of this legislation but also just to the overall tone and tenor of debate in this Assembly when we see unnecessary partisan shots lobbed across the aisle here.

It's not like that particular member. I don't know whether this is some grand strategy kind of cooked up behind the scenes and then she's a part of that or if that's something that she genuinely takes to heart. But it, frankly, doesn't help, and I don't think it actually looks all that good for the government to be doing that. We seem to see that tactic being adopted increasingly, shots at the Alberta Party itself, and I can only conclude, Mr. Speaker, that they obviously see the Alberta Party as a threat in the next election. So here we are.

Having said that, I think that the legislation itself is positive. Perhaps I'll start with a case specifically in my own constituency dating back about a year or so, when an individual who had absolutely no training whatsoever in addiction treatment or

counselling had proposed to turn his 25-foot-wide infill house, which was located immediately across the street from an elementary school, into what he called a, quote, addiction treatment facility. As we went through that process, we discovered at the time that there was absolutely no provincial rule that prevented that from happening. There were some zoning concerns with the city, but the project was initially approved by the city of Calgary's planning department, and Alberta Health had absolutely no say about this.

[Ms Sweet in the chair]

Now, I want to hasten to add and make sure I emphasize the fact that addiction treatment facilities, a diverse and broad range of those facilities – public facilities and private facilities and not-for-profit facilities and faith-based facilities, all of these – have a place in Alberta's landscape for addressing mental health and especially addictions issues.

10:50

I want to be very clear that I as the MLA for Calgary-Elbow am very proud to be home to a number of addiction treatment facilities, and they operate very professionally. They operate very ethically. They genuinely help people, and many of those facilities, the ones in Calgary-Elbow in particular, are residential treatment facilities embedded within neighbourhoods, within the communities that make up Calgary-Elbow. And I'm absolutely honoured to have those facilities within the boundaries of my constituency, as I know that many of my colleagues are with the facilities that exist in their communities.

However, there have to be some rules that guide who can call themselves a counselling therapist and who may open a residential or an addiction treatment facility of any kind. This is something I've advocated to the government for for some time, and I'm very pleased to see that most of what I have advocated for has come to fruition in this legislation. That's a very positive thing, so I'm glad to see that.

I have to say that some of the questions I hope to hear answers to from the government side through the course of this debate would revolve around the process. Some of the challenges that I've heard about from some folks who've been in touch with me happened when the College of Social Workers was founded and when there was an expectation that social workers would be licensed. Now, I have to say that beyond a fairly high-level summary that I've received, I actually don't know all of the details of what happened there, but I wanted to just put on the record that some folks have expressed some concerns to me that that process was not particularly well handled from the perspective of the person that raised this issue to me. In particular, it created some confusion, I understand, and also added to the cost burden for, in particular, contracted service providers.

I haven't yet had an opportunity to talk with the contracted service providers for their perspective on this bill. I'll endeavour to do that coming up here tomorrow as I head back to my constituency, as we prepare for debate on the further stages of this bill into next week. I would hope the government could answer some of those questions proactively for us in terms of: have you talked with those services providers? What will the implications be on them for meeting these standards? Although there's a timeline here of November 1, that's actually a relatively short time frame for these organizations to get ready for accreditation and also for the people who work as service providers within those organizations to themselves become accredited or licensed and recognized.

Now, that may, frankly, be a concern or solving a problem that doesn't exist. I have to say that I don't have the full landscape of exactly how this fits together in existing facilities, but it is a

question I wanted to put on the record. I hope the government can answer it for us because I think it's an important one. I do understand that in the social work profession, when that happened, there were some challenges there, and to this day it's perhaps created some challenges. Without question, the basic principles of the bill I'm very supportive of.

You know, one of the questions that I had initially was whether either faith-based programs or sort of group programs like AA or Gamblers Anonymous, those sorts of things, whether they would be subject to new regulations or restrictions or constrained in any way. I'm glad to see – and my understanding from the information we have been provided by the minister is that that, in fact, is not the case – that those facilities will be outside this legislation and allowed to continue on as they do.

I was also not surprised to see that there are a number of private facilities that are not regulated. The vast majority of those facilities, I understand, are highly professional in their work. Many of them, I understand, are accredited through Accreditation Canada or a similar accreditation body which has a very high standard of accreditation.

What I would hope is that as the ministry goes forward with the licensing for those facilities, they would perhaps look at an equivalence, if a facility is currently accredited under Accreditation Canada or a similar, very high-standard accreditation regime, that would essentially allow them to pass the licensing process. The concern is that for facilities that have been in business or in operation for a long time, that are providing a very high level of care with very high professional standards – I would hope that the province does not impose a huge burden on them. The cost would be high for that and take money out of what they would otherwise be using to provide care, especially where they've gone through a process of seeking and receiving a high level of accreditation. That's something I just wanted to put on the radar for the government.

A question I have for the province is: how are you going to work with facilities that are on-reserve? I know those facilities are federally regulated, often funded, I understand, by Health Canada and operate to their standards, but the province then would make it optional for them to comply with provincial standards but work with them to license. I'm just interested in exactly how that will

work. Same thing in terms of – and of course off-reserve facilities would follow provincial laws, as I think should happen.

The focus of the bill, I understand, is not so much on efficacy of treatment or treatment methods specifically but on safety for folks seeking treatment, on consent, and on an ability to investigate and make sure that that, in fact, happens. I can tell you that, you know, in my experience working with friends and family and people that I know who've gone through the tremendous challenge of trying to overcome addiction, there is no one size fits all. Not one process works for everyone. Twelve-step programs have been proven to be very effective for some people. They're not as effective for other people. I think that we need some flexibility there to ensure that a variety of treatment methods are allowed, because not everything works in every individual case.

The other question, I guess, which I'll close with, Madam Speaker, is that initially there was some conversation about conversion therapy, and that's not included in this bill. As we move forward with debate, I'd be very interested in hearing from the government on what their rationale is for not including that in this bill, if they plan to bring forward further legislation at some point to address conversion therapy. I understand there's a private member's bill, potentially, that may be coming from the government side which would address that. I think that given the lateness of the calendar perhaps we won't get to that this fall, but that is something that I understand other provinces have addressed, and I see no reason why this province should not also address that. I'd be very interested to see what their rationale is for not including it with this bill. I'd love to hear, in fact, if they plan to bring that forward at some point.

With that, Madam Speaker, I will conclude my remarks, and I will move to adjourn debate.

[Motion to adjourn debate carried]

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

Mr. Feehan: Thank you. As we have done excellent work and been very efficient with the help of the opposition today, I suggest that we call it noon and return at 1:30 this afternoon.

[Motion carried; the Assembly adjourned at 10:59 a.m.]

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