



Province of Alberta

The 30th Legislature  
First Session

# Alberta Hansard

Tuesday evening, June 18, 2019

Day 15

The Honourable Nathan M. Cooper, Speaker

**Legislative Assembly of Alberta  
The 30th Legislature**

First Session

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Amery, Mickey K., Calgary-Cross (UCP)  
Armstrong-Homeniuk, Jackie,  
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Ceci, Joe, Calgary-Buffalo (NDP)  
Copping, Hon. Jason C., Calgary-Varsity (UCP)  
Dach, Lorne, Edmonton-McClung (NDP)  
Dang, Thomas, Edmonton-South (NDP)  
Deol, Jasvir, Edmonton-Meadows (NDP)  
Dreeschen, Hon. Devin, Innisfail-Sylvan Lake (UCP)  
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Ellis, Mike, Calgary-West (UCP),  
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Glasgo, Michaela L., Brooks-Medicine Hat (UCP)  
Glubish, Hon. Nate, Strathcona-Sherwood Park (UCP)  
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Guthrie, Peter F., Airdrie-Cochrane (UCP)  
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Hoffman, Sarah, Edmonton-Glenora (NDP)  
Horner, Nate S., Drumheller-Stettler (UCP)  
Hunter, Hon. Grant R., Taber-Warner (UCP)  
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McIver, Hon. Ric, Calgary-Hays (UCP),  
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Nielsen, Christian E., Edmonton-Decore (NDP)  
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Deputy Government House Leader  
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Singh, Peter, Calgary-East (UCP)  
Smith, Mark W., Drayton Valley-Devon (UCP)  
Stephan, Jason, Red Deer-South (UCP)  
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Toor, Devinder, Calgary-Falconridge (UCP)  
Turton, Searle, Spruce Grove-Stony Plain (UCP)  
van Dijken, Glenn, Athabasca-Barrhead-Westlock (UCP)  
Walker, Jordan, Sherwood Park (UCP)  
Williams, Dan D.A., Peace River (UCP)  
Wilson, Hon. Rick D., Maskwacis-Wetaskiwin (UCP)  
Yao, Tany, Fort McMurray-Wood Buffalo (UCP)  
Yaseen, Muhammad, Calgary-North (UCP)

**Party standings:**

United Conservative: 63

New Democrat: 24

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Tyler Shandro	Minister of Health
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Rick Wilson	Minister of Indigenous Relations

### **Parliamentary Secretary**

Muhammad Yaseen	Parliamentary Secretary of Immigration
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## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

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Chair: Mr. Gotfried  
Deputy Chair: Mr. Orr

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Getson  
Glasgo  
Irwin  
Jones  
Nielsen

### **Standing Committee on Alberta's Economic Future**

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Dach  
Dang  
Gray  
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Reid  
Rowswell  
Stephan  
Toor

### **Standing Committee on Families and Communities**

Chair: Ms Goodridge  
Deputy Chair: Ms Sigurdson

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Carson  
Ganley  
Glasgo  
Guthrie  
Irwin  
Long  
Neudorf  
Nixon, Jeremy  
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Walker  
Yao

### **Standing Committee on Legislative Offices**

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Lovely  
Nixon, Jeremy  
Rutherford  
Schmidt  
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Sigurdson, R.J.  
Sweet

### **Special Standing Committee on Members' Services**

Chair: Mr. Cooper  
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Dang  
Deol  
Goehring  
Goodridge  
Gotfried  
Long  
Sweet  
Williams

### **Standing Committee on Private Bills and Private Members' Public Bills**

Chair: Mr. Ellis  
Deputy Chair: Mr. Schow

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Horner  
Irwin  
Neudorf  
Nielsen  
Nixon, Jeremy  
Pancholi  
Sigurdson, L.  
Sigurdson, R.J.

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

Chair: Mr. Smith  
Deputy Chair: Mr. Schow

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Deol  
Ganley  
Horner  
Issik  
Jones  
Loyola  
Neudorf  
Rehn  
Reid  
Renaud  
Turton  
Yao

### **Standing Committee on Public Accounts**

Chair: Ms Phillips  
Deputy Chair: Mr. Gotfried

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Barnes  
Dach  
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Guthrie  
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Renaud  
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Rowswell  
Stephan  
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Turton  
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### **Standing Committee on Resource Stewardship**

Chair: Mr. Hanson  
Deputy Chair: Member Ceci

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Feehan  
Getson  
Loyola  
Rehn  
Rosin  
Sabir  
Schmidt  
Sigurdson, R.J.  
Singh  
Smith  
Turton  
Yaseen

## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, June 18, 2019

[The Speaker in the chair]

**The Speaker:** Hon. members, please be seated.

### Government Bills and Orders Second Reading

#### Bill 9

#### Public Sector Wage Arbitration Deferral Act

[Adjourned debate on the motion for the previous question June 17: Mr. Neudorf]

**The Speaker:** The hon. Member for Lethbridge-East has time remaining if he should like to use it.

Seeing that he wouldn't like to, is there anyone else wishing to join the debate today? The hon. Member for Edmonton-West Henday.

**Mr. Carson:** Well, thank you very much, Mr. Speaker. It's an honour to rise to Bill 9 for the first time, an important piece of legislation in the agenda of this new government, I imagine. You know, so far we've seen from this government a complete disrespect or a lack of respect for the working people of this province. This piece of legislation is no different than the bills before it, whether we're talking about reducing the minimum wage for youth workers, whether we're talking about reducing the ability for workers to collect overtime or bank their overtime. We've seen attacks on that in this House so far, in the few short weeks that we've been here. We're starting to see – well, we're getting a good picture – what this government feels is a priority. On one hand, we have them rushing to move forward with a \$4.5 billion handout on the backs of everyday Albertans, taking taxpayers' dollars and handing them to the largest of corporations, with really no assurances that it will pay for itself in the near future. Their own platform budget showed that it doesn't do that.

Now, I have many concerns with this bill. Of course, as we sat here in the wee hours of the morning yesterday – or today, I suppose; excuse me – the government decided to force closure on this piece of legislation. They are very proud of that. We had members of the government saying: hear, hear. They're proud to take away our ability to continue debating this incredibly important piece of legislation, incredible in the way that it's going to undermine the workers of this province. It's going to undermine good-faith bargaining and undermine the process that public servants deserve to have when they're negotiating their contracts.

Now, really, this piece of legislation, I would say, is quite unprecedented. I have many concerns just moving back to the fact that we're moving towards closure on this legislation because the government doesn't feel that it is their responsibility to stand face to face with Albertans, stand face to face with the public servants that they stand in this House and say they support. Well, Mr. Speaker, this is an interesting way to show that you support those workers.

Now, on top of that, earlier today we saw a move by this government, a heavy-handed move once again to limit debate further. Closure wasn't enough. This government had to take it one step further and limit debate even more. Now, I'm not entirely sure why they decided to make this move. I imagine it's because they're afraid that this piece of legislation might see the light of day, that public servants might have the opportunity to really analyze and start to see

the priorities of this government, which, hopefully, they've been watching so far: the killing of overtime or reduction of overtime, a reduction of wage for youth workers. Of course, it shouldn't be a surprise. We've seen this Premier, before he was our Premier, talk about having to work late hours, that if he was working with unionized people, you'd have to pay them extra, and he thought that that wasn't okay. We're starting to see the priorities of this Premier.

We've seen members of this Legislature stand up in the 29th Legislature and call democratically elected union representatives "union thugs" and "union bosses." Now, Mr. Speaker, if I were to stand in this House and say one of those words about the Premier, I imagine it might be unparliamentary, but somehow it's okay to call out people that were also democratically elected by the workers that they represent.

Now, when we talk about the closure that's been moved on this piece of legislation, it kind of reminds me of playing Monopoly with an unwilling participant. You know, you get somehow through the game, and you're doing quite well: you've got a couple of thousand dollars, and your opponent has nothing; maybe he's stuck in jail for a couple of turns. At that point the other player gets sick of playing, so they flip the table over and say: "I'm not playing anymore. I've had enough of this. I don't like where you're coming from, so I'm not going to stand for it." Unfortunately, Mr. Speaker, this wasn't getting halfway through the game or nearing the end, when you know that all the cards have been played and you kind of see where the scenario is going. This was before we even had a chance to start the game.

There was one speaker, I believe, from the government side before they decided to invoke closure. So it really shows the priorities of this government: willing to move fast to give money away, money of hard-working Albertans, to large corporations, willing to roll back overtime, but when it comes to negotiating in good faith with the public servants of this province, well, we're going to have to wait for that. They say that they need to reflect on budgetary restrictions. Well, maybe it was a good idea to reflect on that before you decided to give \$4 billion away to large corporations. Once again, we're seeing the priorities of this government.

Now, at the end of the day, this piece of legislation is breaking the law. It's showing that this government is willing to do whatever it can to not fulfill its responsibility to bargain in good faith, to change the rules when the game isn't going in their favour or when the rules aren't working in their favour, and we saw this even passed in the legislation that we debated in this House. We saw this during the standing orders debate, when we as members had our ability to introduce community members, representatives of organizations in our constituencies, our rights as private members, taken away by this Premier and by this government. Hopefully, the members have had an opportunity to reflect on that. Mr. Speaker, as much as I appreciate your ability to introduce my guests for me, I think it's an important opportunity for me to introduce my own guests and advocate on their behalf, and when we bring people here, they want to see that.

Mr. Speaker, of course, this bill is impacting 180,000 workers across this province. It's impacting front-line nurses, social workers, teachers, librarians, food inspectors, child mental health therapists, long-term care workers, correctional officers, and sheriffs, the sheriffs in this very Legislature, that protect us day in and day out. They stay here with us no matter how late we work. You know, we as private members and cabinet members have the opportunity to take a little bit of time, take a break, refuel, but these sheriffs that are in this Legislature often don't have that same opportunity. So what you're saying is that their ability to negotiate is, well, not very important to you. It's very concerning for me.

When we talk about front-line nurses, the people in our hospitals, in our health care facilities that take care of our sick, young, and seniors, you're saying that they don't deserve the opportunity to negotiate their own wages. It's very concerning, Mr. Speaker.

I don't think it's fair, once again, that a government that stands day after day and says that they support these people and that they appreciate the work that they're doing in our communities – it's a funny way of showing it. I think that the workers who are going to be impacted by this legislation are going to be very concerned, which is why I do not agree with the fact that we are limiting debate on this legislation. I think it's important to hear from other government members on this Bill 9, the bad-faith bargaining bill. I think that they're probably hearing from constituents of theirs. Considering that this piece of legislation is impacting nearly 200,000 workers, I imagine a few of them are in their constituencies.

So when they come into this House and advocate for new hospitals to be built, for more supports, more doctors, more physicians, more nurses, they're doing a disservice. Really, they're showing that they're really not that concerned, because if they were concerned, they wouldn't be supporting this piece of legislation. Now, I don't quite understand how they think these public servants are going to be happy to continue working on behalf of all Albertans while getting attacked by the very government that should be supporting them.

7:40

Of course, there are many more questions that we have around funding for these essential services in the first place: funding for EMS, funding for nurses in our health care system and for the many other workers at primary care networks, and for our teachers. You know, we were able to get a commitment from this government to fund enrolment for one year. Well, that's a great start. Let's talk about the next three years and after that even. On one hand, we have the government attacking the ability of these workers and these public servants to negotiate, and then on the other hand we have a government that's unwilling to commit to properly fund those services.

These public servants are getting attacked on all sides, and you're going to tell them: "It's okay. Your government supports you. Get back to work." We already see instances of teachers having to fund their own classrooms, bringing in supplies for the students because the programs are already inadequately supported. Yet with the bills that we've seen come forward from this government, there are just more questions and no answers, many questions, things left to regulation. The government says: trust us. Well, after this Bill 9 I don't know how these public servants are going to be able to trust this government.

Now, of course, the Member for Edmonton-Castle Downs had the opportunity to list many of the contracts that are being negotiated that are going to be affected by the delay that this legislation is putting forward. I'm very concerned for those people. I'm concerned for the workers. I'm concerned for the students and the patients. Everyone in this Legislature should be very concerned. I would appreciate it if the government members, the private members on the government side, took the time to stand up and talk about why they support this, why they support delaying negotiations past the federal election, of course, which seems to be the main concern for this Premier. We've seen the Premier in Ontario struggling with his own numbers because of passing legislation that was not supported by the majority of people in that province. I think we're getting to a place where we may see the same concerns here, especially with a government that is so willing to undermine the public servants of this province.

Of course, this bill goes one step further. We've had the President of Treasury Board and Minister of Finance stand up and say: "This is only a delay. Nothing to see here. We'll get back to your regular programming in a few months, after the federal election." But, Mr. Speaker, this bill goes further. It gives the Lieutenant Governor in Council the opportunity to make regulations, which is very concerning because that's giving the government the opportunity or the power to regulate whatever they want. If they feel that maybe these health care workers should take a 2 per cent pay cut, well, who needs good-faith bargaining, really? I believe that that's a sentiment that some of the private members in this Legislature on the government side might believe. They might feel that public-sector workers are overpaid. I've seen that on social media quite a bit, and it wouldn't surprise me if some of the members in here believe that very thing. Once again, tax giveaways to large corporations, nothing for public servants: it's very concerning.

Of course, we had an MLA, that is currently on the government side, in discussion of Bill 7 when we were government . . .

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. I see the Member for Edmonton-Ellerslie rising.

**Member Loyola:** Thank you very much, Mr. Speaker. I think that it's so important that we continue to discuss how important it is to bargain in good faith, and I was hoping that the Member for Edmonton-West Henday could continue with his thoughts. I'd really appreciate that.

Thank you very much.

**The Speaker:** The hon. Member for Edmonton-West Henday.

**Mr. Carson:** Thank you very much, Mr. Speaker, and thank you to the member for the question. Just touching on the fact that in Ontario they're currently going through a very similar process in terms of a government that's unwilling to negotiate in good faith, I'm not quite certain if the legislation is before the House or if it's passed now, but the government is talking about capping wages through legislation, which is very concerning. These public servants, the people of our province who wake up every day to serve the people of this province, deserve to be able to negotiate in good faith. Of course, negotiation isn't just about getting a raise, as the government members seem to think. It's about getting higher quality standards of safety and making sure that we're protecting the ratios, whether it be in the health care system or in the education system.

We've been through these over the last four years, negotiations where the NDP government or representatives came to the table and said: "Look, we're going through a recession. We need to have a real conversation about what we can do to serve you while also recognizing that there's not a lot of wiggle room." Instead of this government doing that same thing, they're saying: "We don't really think your voice is important. We're going to decide what's right for you." That's very concerning, Mr. Speaker.

Now, just getting back to the conversation on Bill 7 in the 29th Legislative Assembly, the Member for Drayton Valley-Devon had concerns with the very regulations, the powers that were given under regulations very similar to what we're seeing under Bill 9. Now, I'm interested to hear if the member – I'm very happy he's here to be a part of the debate. I would be very interested to see if he's concerned about these same regulations that are presented to us in the legislation before us. I look forward to hearing him speak.

Once again, Mr. Speaker, I think that the almost 200,000 workers of this province who are going to be affected by this legislation – the patients and the students and the workers that protect MLAs and are also affected by this legislation – deserve to have their voices

heard. That has clearly not happened. They deserve to be consulted: clearly, not happened. This was not something that was in the government's platform. It was not in the UCP platform. They talk a lot about their mandate. Was this part of your mandate? That's a question that I have. Did the voters of Alberta give you the right to break contracts? I suppose through your majority government they did, but you didn't discuss negotiating in bad faith with Albertans. So I'm very concerned.

Once again this is showing a complete disrespect for the public servants of this province. It's showing a complete disrespect for the ability of our members, who were elected here in just the same way that the members on the government side were, to debate this legislation, which does not bode well for democracy in this province.

Now, once again, I think that every member should stand up and discuss why they plan to support or not support this legislation. I look forward to hearing that debate. I'm very concerned about the idea of labour unrest in this province. We've seen it before, and at the rate this government is going, we are going to see it again, which is a great concern to me. That means compromised services and often more costly settlements. So I don't know if this government is prepared to try and legislate workers back to work when they say: our rights are being infringed upon. We'll see that day when it comes. Hopefully, it doesn't get to that.

Now, once again, we should not be using legislation to break legally binding contracts. We've seen it go to the Supreme Court before. We've seen it lose in the Supreme Court before. Really, this government is trying to create a problem for the future.

Thank you.

7:50

**The Speaker:** The hon. Member for Calgary-Buffalo is rising.

**Member Ceci:** Thank you very much, Mr. Speaker. I am pleased to rise, my first time to speak to this bill, Bill 9, Public Sector Wage Arbitration Deferral Act, brought forward by the President of Treasury Board and Minister of Finance. I want the opportunity and I'm taking the opportunity now to get my voice on the record in defence of workers in this province.

Mr. Speaker, I was very surprised, reading through the bill, that the Minister of Finance and President of Treasury Board would bring this forward, because it does not respect the people that he stands up and talks repeatedly about daily when he uses his key messages to talk in answer to questions put by my colleagues. Those key messages, frankly, ring hollow when you look at what's before us in Bill 9.

I heard my colleague just talk about another member of the opposition identifying all 24 of the employers and unions and agreement titles and dates. It's stunning to look down the list and think about the breadth of impact that this will have across the province of Alberta and the impact that this will have on hard-working public servants, whether they work directly for a related agency like Alberta Health Services, Lamont health care centre, Allen Gray continuing care centre, represented by AUPE in that case, or if they're, in fact, with the Alberta college of art and design, now called the university of art, in Calgary. The union that represents those workers there is the Alberta Union of Provincial Employees.

I've just mentioned two of the 24, but in the course of my brief talk today I'm going to mention them all so that workers across this province, if they hear where they're working, they'll get the message that this government is legislating away their fair chance to discuss their wages, which all collective bargaining agreements should continue to have going forward. When they don't, you break

the contract with those workers. Those workers then really have no need or should have no need and belief in the government that it will ever keep its word again. The two years of zeros that many of these collectively bargained agreements undertook was done by them, Mr. Speaker, because they recognized that there were challenges in the province with regard to revenues coming in. There were challenges in this province with regard to those revenues being stifled and stymied as a result of the takeaway capacity of our oil and gas products, that really drive the revenues for this province, in addition to other taxes and licences and fees.

Mr. Speaker, I'm so disappointed with what's before us that I really wish that all Albertans who are in these many employer situations – for instance, Alberta Health Services. It's massive in terms of the number of Albertans that work for Alberta Health Services that are represented by the Alberta Union of Provincial Employees. It's probably our third-largest employer in this province, and their collective agreement between AHS and the Alberta Union of Provincial Employees, general support services, which runs from April 1, 2017, to March 31, 2020, is being essentially ripped up. Those folks didn't bargain for that. They bargained for two years of zeros and then a wage reopener, and this is putting that off potentially indefinitely. I know it says to the end of October, but what the government has shown by bringing in this piece of legislation is that they can continue to abuse power in this province. They can continue to bring forward bills that even delay things further. What's holding them back? Nothing, as can be seen with this Bill 9.

I mentioned the Alberta Union of Provincial Employees. I'm sure some members have heard – maybe not all have heard it – some of the feedback on this bill from the president of that union: this is an egregious attack on workers' rights and legally binding collective agreements; this is authoritarian; this is ideological, and it does nothing but create labour unrest; Albertans should be very concerned when a new government uses the power and authority of the state to crush basic rights.

Mr. Speaker, when the government that I was a part of was reaching out to all unions to ask them to look at taking zeros for two years, I visited Mr. Smith and his executive director, and he showed me a photograph on the wall of a massive, massive demonstration just outside on these steps. Not just the steps but the building was totally surrounded with workers in this province who came out to protest. I believe it was bills 45 and 46 that they were on the steps protesting. Bill 45, under the government of Premier Alison Redford in the fall of 2013, was the Public Sector Services Continuation Act, that intended to deter illegal strikes to save Albertans money. Bill 46 was the Public Service Salary Restraint Act. Different titles but probably the same intent, Mr. Speaker.

[Mr. Milliken in the chair]

Those bills caused a reaction that the government at that time was not anticipating. They were totally flummoxed by the amount of upset that they had caused by bringing forward those bills. As I said, the air photo of this entire precinct was covered with Albertans who let their representatives know that they would not stand for the kind of high-handed, bullying treatment from those bills and, I would argue, that this bill brings in, Mr. Speaker.

There are members of this Legislature today who were there then, in 2013. The Member for Calgary-Hays voted in support of Bill 45. The Member for Calgary-Hays voted in support of Bill 46. That person also supported Bill 24, which was the Public Sector Services Continuation Repeal Act. The Member for Calgary-Hays sponsored that bill and voted for the passage of the bill. Mr. Speaker, that same member will be supporting this bill when ultimately it goes to a

vote. I can tell you that, from my view of it, that member will be on the wrong side of history four times in just the four bills, the one before us and the three that that person supported.

8:00

In addition to those three employers, I want to mention, Mr. Speaker, that Alberta Health Services, Covenant Health, and the Lamont health centre, represented by HSAA, have a collective agreement that will not go forward for negotiation until after the Bill 9 time period is up and, potentially, even after that if another bill gets brought in by the government, which has shown that it will break the law and use its power, the legislative hammer it has, to break legally binding contracts with public-sector workers that are in wage talks.

The preamble of this bill also is something that I'm curious about. I haven't heard anybody from the other side speak to the preamble. It talks about significant changes having occurred in Alberta's economy since the 2018-2019 third-quarter fiscal update and economic statement. I haven't heard the Minister of Finance and President of Treasury Board address that with regard to Bill 9, Mr. Speaker. If he does have information that would talk about the significant changes that have occurred in the economy since the end of February 2019, perhaps he should elucidate this House on that.

An additional centre, the Bethany Group in Camrose, is going to be affected by this as well, Mr. Speaker. There are 180,000 workers across this province that will be getting the news, probably getting the news right away, from their representatives that their collective agreement with the government of Alberta is not worth the paper it's printed on because of this government's actions.

I want to also identify that the United Nurses of Alberta are negatively affected by what's before us also. The UNA president, Ms Heather Smith, says: I'm not terribly surprised, but I'm very, very disappointed; even Ralph Klein – she invokes the former Premier of this province – in the depths and darkness of the 1990s didn't use legislation to reach in and violate workers' contracts; this is incredibly unprecedented, incredibly disappointing; it is the biggest betrayal by the government I have ever seen.

You new members on the other side: you are part, in the view of the UNA president, of the biggest betrayal of workers' rights that she has ever seen by a government. She says that it's even worse than Ralph Klein. Congratulations. You have two months under your belt, and the feedback is in from a union president who has been serving this province . . .

**Ms Hoffman:** Since the '80s.

**Member Ceci:** Since the '80s? I thought it was the early '90s. I think she's coming up to 25 years, Mr. Speaker, as the president of that union.

I think we can all agree that nurses have far more respect in the public eye than legislators, and I would say that the legislators on the government side are the ones who, in her view, are part of the biggest betrayal she has ever seen. It's not people on this side. On this side we respect contracts. We negotiated two years of zeros, with the promise of a wage reopener. There was not a promise that wages would go up. It was a promise that we would get back to the table with those collectively bargained groups and work with them.

So that's UNA.

We go now to Alberta Innovates, with AUPE representatives. It may not be . . .

**The Acting Speaker:** Hon. members, 29(2)(a) is available. I see the hon. Member for Edmonton-Ellerslie rising.

**Member Loyola:** Yes. Thank you very much, Mr. Speaker. I think it's imperative that everyone in this House understand exactly what bargaining in good faith means. I was hoping that the Member for Calgary-Buffalo could talk a little bit more about his experience going to the table, discussing with labour union leaders, and the experience that he had but specifically focusing on what that means in terms of bargaining in good faith.

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

**Member Ceci:** Thank you, Mr. Speaker. I'll maybe just speak briefly about a couple of things that happened with regard to that. One, I was a city of Calgary social worker for eight years on the front line. I know another hon. member is a member of the city of Calgary's community and social services. I was a CUPE local 38 member, and I can tell you that the eight years I worked for the city were some of the best working conditions I ever had. Not that I had bad working conditions in other places, but I was never represented by a union or came in and had the benefit of a union that was organizing and looking out for my rights as an employee. That was, in my estimation, the benefit of belonging to a union. I think this government is not caring about those benefits, and it will backfire on them.

I just want to address this particular question from my hon. friend in the back and say that the Executive Council of the government that I was part of, the NDP government that was here from 2015 to 2019, had a respectful working relationship with all of the unions that we collaborated with. I didn't do the direct negotiations, Mr. Speaker – we had very capable people who did that – but I was part of the council of a small subcommittee of the cabinet that worked up the mandates, and then those mandates were taken out by the representative of the government, who sat down with the different unions and organized the collective agreements.

Mr. Speaker, we were very careful with regard to what we could afford and put on the table. These zeros were something we achieved. Sometimes there were improvements to working conditions and social kinds of improvements that benefited those agreements and got those agreements settled. But I can tell you that there was no agreement to de facto say: when you come back for the third year, your wages are going up. We said that we would look at the conditions, that we would look at where we were, and we would bargain. We never said: we will delay. We never said: it doesn't matter what you think about the third year; you're not going to get it. That is dirty pool. That is the kind of activity, the kind of action that someone who doesn't respect front-line people does and pulls and brings up in the – not the dead of night. We're not in the dead of night yet. But it certainly is something that is not fair.

People give their all, and we owe them better, Mr. Speaker. They're at the bedside. They're in jails. They're here. There's the Fort McMurray Catholic board of education that's affected. There are the government of Alberta workers that are affected. InnoTech Alberta is affected. Bow Valley College; Athabasca University; NorQuest, Olds, and Red Deer colleges: the workers there are all affected. Keyano, Lakeland, and Lethbridge colleges; the Northern Alberta Institute of Technology; Northern Lakes College: it's just staggering when you think about the breadth of this. The Teachers' Employer Bargaining Association, the University of Calgary, the University of Lethbridge . . .

8:10

**The Acting Speaker:** Other members wishing to speak? I see the hon. Member for Lethbridge-West.

**Ms Phillips:** Thank you, Mr. Speaker. Okay. Let's talk a little bit about why it might be that conservation officers and custodians and



firefighters and paramedics and other people might be worried about this legislation and, indeed, why it is destined for the courts, and why it is more than likely that it will end up costing us more and being thrown out.

First, a little trip down memory lane. In 2002 the B.C. government brought in legislation, subsequently found unconstitutional, to limit the right of a union, a teachers' union in this case, the B.C. Teachers' Federation, to bargain on classroom size and complexity of classrooms. Specifically at issue was an education fund that ensured appropriate supports for children with disabilities. It took away the union's right to bargain on those issues. That was the original piece of legislation.

It was struck down in 2014 after a second piece of unconstitutional legislation was brought in in 2012. There were in the intervening time strikes. It was appealed. The B.C. Supreme Court decision was found unconstitutional in 2014, it was appealed on a technicality in '15, and then in 2016 the Supreme Court of Canada found, in a rare decision, straight from the bench – it took them 20 minutes in 2016 – that the 2014 decision was correct and that the government had behaved unconstitutionally in limiting the right to bargain on those and other issues for the B.C. teachers.

You know, a lot of this came down to supports for children with disabilities, and here's what one retired teacher said in response to the Supreme Court decision: every kid in 2002 who had special needs got no damn help for 14 years because of that government; that's what it means; all those little kids in kindergarten then have finished high school and never got the support they needed. This woman is named Patricia Gudlaugson.

Why is this important? Well, because the court concluded that the government did not negotiate in good faith . . . One of the problems was that the government representatives were pre-occupied by another strategy. Their strategy was to put such pressure on the union that it would provoke a strike . . . The government representatives thought this would give government the opportunity to gain political support for imposing legislation on the union.

Sound familiar?

Certainly, the court allowed that the government has a role and responsibility in respect of the education system that entitles it to establish some fiscal and policy parameters around the collective bargaining.

Well, this is obvious. We all understand this on this side of the House. That's why we bargained zeros out of people for the last four years. But there has to be, essentially, the court found – and that was reiterated by the Supreme Court – an orderly labour relations environment

so long as there can still be room for movement within those parameters.

What's interesting about this is that we're pushing this off into delaying arbitration. Now, an arbitrator, for the benefit of the House, performs a function similar to a judge or a court: holding hearings; evaluating submissions, evidence of the parties; making a binding decision; resolving matters in dispute. There are a couple of different kinds of arbitration in labour law, but the point here is that when you get to that point, you're beginning to come to the end of your time at the table, if you will, in negotiations. This is a normal function of labour relations. It's nowhere near the end of the line in terms of options either on the employer or the employee side.

But the right to that process, Mr. Speaker, unfettered by the state and unfettered by a government that has a different agenda – that is, as the court found, that the state used its power to provoke labour action – is actually guaranteed under section 2(d) of the Charter. You know, maybe people in this House are not as enthusiastic about the Charter as I am and, maybe, as people on this side of the House

are. Maybe that's why they want 7 out of 10 provinces to be Conservatives on the other side of the House so they can go ahead and amend away my reproductive rights out of section 7 or our right to be free from discrimination in section 15. That's quite possible and likely, and people will go and participate in an election campaign – evidently, they're going to – in order to make that a reality. But as it stands right now, we have the rule of law in this province.

Here's what section 2(d) does. This was found again in a B.C. decision. One of the first Supreme Court decisions to recognize the right of free association, the right to collective bargaining, under a section 2(d) Charter right was B.C. health sciences, again, because that particular government really went after labour. It wasn't just the teachers. It was others as well. In the health sciences decision, again, they spent a whole lot of money going to the Supreme Court, Mr. Speaker, which I assume this government is super enthusiastic about as well.

Section 2(d) . . . does not . . .

as the court wrote,

. . . guarantee the . . . objectives sought through . . .

joining a union

. . . but rather the process . . .

In other words, you don't get an outcome by joining a union, by engaging in collective bargaining, by going through the steps, by taking the votes, by going to mediation, by going to arbitration; all the various steps that one takes in an orderly labour relations environment. You're not guaranteed an outcome. I used to say this often to some of my friends who would enquire about the zeros in public service. I would say: yeah, you're not guaranteed an outcome; you're guaranteed a process with us. That's exactly what happened.

It means that employees have the right to unite, to present demands . . . collectively and to engage in discussions . . . Section 2(d) imposes corresponding duties on government employers to agree to meet and discuss with them.

That's the Supreme Court of Canada talking; that's not me.

It also puts constraints on the exercise of legislative powers in respect of the right to collective bargaining.

Wow. That was an easy Google search away for me, Mr. Speaker. I am not a labour lawyer, yet I found this fairly quickly. That is a more-than-decade-old Supreme Court decision, super easy to find. Just, you know, put in some key terms. Maybe people can get an assistant to do it for them, but I did it, no problem, at 7:30 at night on a Tuesday.

Now, here's the thing.

2(d) does not protect all aspects of . . .

joining a union or

. . . collective bargaining. It protects only against "substantial interference" . . .

against substantial government interference. But here's the thing that the court wrote.

It is enough if the effect of the state law . . . is to substantially interfere . . .

They don't have to have the intent. So when you hear folks over here say, "Oh, it's just a few months," it is enough if the state action is to substantially interfere with the activity.

To constitute substantial interference: what does that mean? It means two things.

(1) the importance of the matter affected [in] the process of collective bargaining . . . the capacity of union members to come together . . . pursue collective goals in concert; and (2) the manner in which the measure impacts on the collective right to good faith negotiation and consultation.

Again, that's the test on whether a government matter or government interference is serious enough to be struck down by the

Supreme Court or by any court, I guess. It'll probably be struck down at a lower court because it's fairly straightforward jurisprudence on this.

Now, obviously, as in all things in labour law, courts always look for balance.

If the matters . . . do not substantially impact on the process of collective bargaining, the measure does not violate section 2(d).

If the changes substantially touch on collective bargaining, such as a legislative interference in the orderly conduct of labour relations, they will violate section 2(d).

What is bargaining in good faith, anyways? Is it just being nice to each other? No, it is not, Mr. Speaker. It is not just that. It is the obligation to actually meet and to commit time to the process.

The parties have a duty to engage in meaningful dialogue, to exchange and explain their positions and to make a reasonable effort to arrive at an acceptable contract.

Where that comes in is that arbitration is part of that reasonable effort. Again, bargaining in good faith doesn't impose on the parties an obligation to even conclude a collective agreement. If the union feels that they cannot come to agreement, if the employer feels that they cannot come to an agreement, then there are steps to be taken, lawful steps, within an orderly labour relations environment. For sure, the court allows situations of exigency, urgency. Different situations might demand different processes, timelines, and that goes into bargaining in good faith.

8:20

But a failure to comply is not lightly found. It should be clearly supported on the record, so let's look at the record. Let's look at the justification record from this government. Government must, according to the courts, examine a range of options. The government must present evidence as to why this particular solution was chosen and why, and if there wasn't meaningful consultation with the unions about the range of options, then why not. This, writes the court, is

an important and significant piece of labour legislation which had the potential to affect the rights of employees dramatically and unusually.

This was in the case of B.C. health sciences. I would argue that for 180,000 public-sector workers the same applies.

Yet when the Supreme Court struck down the B.C. government's actions in health sciences in 2007, it was adopted rapidly with full knowledge that the unions were strongly opposed and without consideration of alternative ways to achieve the government objective and without explanation of the government's choices. That decision might as well be a cut-and-paste to what we know is going to happen in this province.

Just by way of a bracket, Mr. Speaker, what did the settlement with the B.C. Teachers' Federation cost? In the final analysis, it was about \$300 million just to bring the government into compliance with the legacy that it had left in 2002. The reinstatement of the education fund, as I understand it, ended up costing even more, but it was costed into the new government's platform, and people began to make good at least on the education file.

Now, in terms of arbitration, why would one want to delay this if not for other political reasons? As we've already established, the courts take a dim view of not having an actual reason to ride roughshod over duly enacted collective agreements and the various steps contained within labour relations legislation. You can't just do it because you don't like the election timing. You can't just do it because, you know, some lady is going to deliver you a report. That is not a good enough reason according to the courts and according also to common sense, just to be clear.

Arbitration is a form of dispute resolution. It is a form of dispute resolution that is widely favoured by both employers and

employees. The reason for that is a number of reasons. First of all, it does bring – this is widely available in the literature; this is employer-side literature. Industrial peace upholds the principle of voluntarism. That is to say that you get better collective agreements when both sides are at the table hammering it out together, and then they understand one another's fiscal position better.

You have access to procedural justice. We still have the rule of law around here. I'm not sure for how long, but we do now. Procedural justice is, in fact, a virtue that should be striven for on all sides of the House. It can allow for balance and, in particular on the employer's side, take into account the financial position of the employer. Once again, procedural justice doesn't require an outcome or a particularly positive outcome, necessarily, for employees. In fact, an arbitrator: that's their job, to take into account the relative fiscal position of whoever they're making an agreement with. Also, disputes can be settled at a lesser cost oftentimes with interest arbitration, so they are more efficient, Mr. Speaker.

All of these things would point to, one would think, going about labour relations in an orderly fashion unless – I come back to that previous finding, the B.C. Supreme Court decision, that the court found that the state used its power to provoke labour action. In fact, the court wrote: because the government had another agenda, which is that they thought that it would be politically advantageous for them to cast working people as the opponent and as the enemy. Sound familiar?

Now, there are a number of tweaks that one might make to an arbitration system, even if one was so inclined. The C.D. Howe Institute has – it's some 10 pages in length – a think piece on interest arbitration from a few years ago. Given that before the Saskatchewan Federation of Labour Supreme Court decision came into effect, we had a number of jurisdictions in which arbitration was the place where settlements had to go for public-sector workers, given that there was a wide and blanket prohibition on the right to withhold labour, which, of course, was struck down by the Supreme Court . . .

**The Acting Speaker:** Standing Order 29(2)(a) is available. I see the hon. Member for Edmonton-Ellerslie standing.

**Member Loyola:** Yes. Thank you very much, Mr. Speaker. I particularly think that they're really important, the comments that were being made by the Member for Lethbridge-West, in terms of the gravity in which this government is trying to introduce this in terms of the political interest, and I was hoping that she could continue those remarks, please.

**The Acting Speaker:** The hon. Member for Lethbridge-West.

**Ms Phillips:** Well, thank you, Mr. Speaker, and thanks to the hon. member. I'm sure I've just gone down a little memory lane for him in terms of court decisions around our Charter rights to free association, among our other Charter rights, that sometimes are in question by the members across the way.

You know, I think what's important here is what politically is happening, given that there has been no real justification on a procedural side to interfere in the course of orderly labour relations, there's been no justification even on the fiscal side to examine our fiscal position. Well, that's exactly what arbitrators do. That's exactly what labour relations are for, to hammer those interests out on each side, employer and employee, at the bargaining table, because when you don't have it at the bargaining table, then it bleeds out into other areas of public life, Mr. Speaker. Then folks do take matters into their own hands, and they do engage in job action and so on. I think we can all agree, for those of us seeking

health care or education or seniors' care, child care, that this is not in the public interest.

Definitely, when government is using its power to paint 180,000 people as the enemy, they are using their power unjustly. State power: I mean, you'd think a conservative would understand this in their DNA, in their bones. Using state power in a way that is disproportionate and unnecessary should never be the place of first resort. I mean, it was, you know, essentially item 3 or 4 in the line of what these folks were going to get up to. It wasn't freedom and liberty and all of that sort of stuff. No. It was taking away equality rights in terms of earning a decent wage for young people, it was hammering on LGBTQS youth, and then it was casting entire segments of the economy – first responders, front-line health care, education, seniors' care workers – as the enemy and using the power of the state to do so. No one should ever take that lightly, Mr. Speaker. In fact, that's why the courts take such a dim view of using that power, that state power, like a hammer.

Who's going to be affected? Well, I think often of all of my years of knocking on doors in Lethbridge-West, talking to people who work in IT at the university, who haven't seen a wage increase in some six years, folks. I think of people who work grounds or maintenance at the college or at the university: same thing. I think often of parents on the doorstep, especially in 2015, before the classroom improvement fund. Mark my words: that will be the next thing on the list for this government. I think of that and all the educational assistance that parents of children with disabilities told me they needed, and our government responded through that classroom improvement fund, which will be on the chopping block. But now it's those people's labour rights that are being taken away, the right to just make a decent living. I think often of them.

8:30

I think of conservation officers out in places like Pincher Creek, who are working very, very hard, particularly over the summer weekends, to ensure that we're taking care of our air, land, and water and that there's something to fish and hunt for future generations.

I think of the corrections workers in Lethbridge. We have a provincial correctional facility just outside the boundaries of Lethbridge. Those are AUPE members, too. I can remember their wildcat strikes back in – what was it? – '12, '13, the winter of '14. My memory is fuzzy. Certainly, the experience of seeing the anger from those workers who were being treated so disrespectfully by the former PC government: I remember that.

**The Acting Speaker:** Hon. members, I see the hon. Member for Edmonton-Highlands-Norwood standing to speak.

**Member Irwin:** Thank you, Mr. Speaker. It's an honour to rise today to speak to Bill 9, the Public Sector Wage Arbitration Deferral Act, perhaps better labelled the bad-faith bargaining bill. This proposed piece of legislation is going to be a complete attack on front-line workers. We're talking about over 180,000 workers who work hard every single day to provide high-quality services that all of us as Albertans depend on. These are nurses, social workers, teachers, child mental health therapists, long-term care workers, librarians, correctional officers, sheriffs who protect us, food inspectors, and so many more. The fact that they are going to be legislated out of a fair chance to discuss and to negotiate their wages is absolutely shameful. It's a return to historical Conservative bullying tactics of disrespecting our front-line workers.

You know, the Member for Lethbridge-West just spoke to some of the rallies that happened over the last number of years. I want to

give a little bit of historical background because I was at one of those. We know that Bill 45 and Bill 46 were introduced and passed under the Redford government in the fall of 2013. Bill 45, if you don't quite remember, was the Public Sector Services Continuation Act, and it was, quote, intended to deter illegal strikes to save Albertans money. Wow. Trampling of rights in the interest of saving Albertans money. In fact, it was my predecessor, Brian Mason, here in Edmonton-Highlands-Norwood who noted that as you look at that bill, you will find in these pages a government prepared to force its employees to work even when they're not safe. You'll see a government that does not respect the fundamental rights of the people of this province.

I remember being at the rally against Bill 45. Gosh, it was probably minus 30 that day if not colder. I remember the Leader of the Official Opposition being there, the former member that I just mentioned from Edmonton-Highlands-Norwood, Edmonton-Beverly-Clareview, Edmonton-Calder at the time, the current Member for Edmonton-Manning, and a number of others who stood up against that absolutely shameful, bullying bill. We saw Albertans coming out in force against this, and I think we're starting to see that with this one as well. Interesting that history seems to be repeating itself and that these governments aren't necessarily learning from some of the lessons of the past.

You know, I'm certainly not an expert on wage arbitration or on a number of these issues, but I've done a fair bit of research over the last little while trying to pull together the perspectives of a number of people who I do respect and that I do know have a lot of background on this. I want to start with the Leader of the Official Opposition. As she said, this isn't simply a delay in arbitration. It's the breach of a legal contract with nurses and other public-sector workers. She asked here in the House: why didn't the Finance minister tell Albertans that they were going to break the law, to steal money from nurses?

As the Member for Lethbridge-West so eloquently pointed out, courts have ruled that the Charter rights of workers are breached when governments interfere with collective bargaining. We're talking about fundamental rights. We're talking about Charter rights. I guess my question is: if the government is willing to breach Charter rights on this issue, where else are they willing to do so? As she pointed out, just weeks on the job and this government is already taking this approach. Gosh, it's going to be a long four years.

Now, I'll just flip back to what the Minister of Finance noted on this. He said, and I quote: Albertans expect us to be responsible with their hard-earned tax dollars. True, Minister. They absolutely do, and I think all of us take that responsibility quite seriously in our role as elected officials. But they also expect us to respect them as workers. Albertans expect us to respect them as workers. They expect good-faith bargaining. He goes on to say: actually, we're committed to working together in good faith with the public sector. But what about this reflects good faith? He also notes: it's unfortunate that we must take this step, but we introduced this legislation because time is of the essence. Interesting that he recognizes that. I think he's foreshadowing that he knows that there will be a number of unintended consequences of this.

[The Speaker in the chair]

Let me go back to a few other folks who I respect on this issue, people who've been around. I would like to just point out what the Member for Edmonton-North West noted when it comes to Bill 9. These folks have been on the job just a few weeks. They're already threatening public servants with legislation to delay wage talks, the Member for Edmonton-North West noted. It seems that the UCP is keen to follow the old Conservative bullying tactics of disrespecting

our front-line workers. He noted that that only leads, history shows, to labour unrest and ultimately to more costly settlements.

I point that out because the minister had just noted, gone on the record and said, that his priority is the province's finances, yet we know that more costly settlements are often the outcome. Again, we can point to multiple examples of that.

The Member for Edmonton-North West goes on to say that instead of a sham consultation, this minister should engage in good-faith discussions with workers without bringing down the hammer. It's not just bringing down the hammer on workers. Ultimately, that hammer gets brought down on kids in classrooms, on patients in hospitals and health care facilities, on the public in general, not just workers, workers' families.

My colleague from Edmonton-Mill Woods, who I watched in awe as our labour minister: what an incredible job she did to build relationships with the public sector, to bring parties together, to move forward on a path of collaboration. I just watched her listen to and take in multiple perspectives on issues related to labour. I think she set a really good example for future ministers of labour, but I worry that that's not being followed. Now, as I said, I'm so proud of the work she accomplished. She noted that the government is putting this legislation forward as a first piece of a plan to gut wages for teachers, nurses, social workers, paramedics, and many more. As she points out, again, these are folks that are working long days every day to make life better for all of us, yet this government is refusing to sit down and do just what she would have done to model a way of collaboration and relationship building instead of, as she says, not being honest, plotting to steal money right out of their pockets.

I'd like to note, actually – I mean, my colleague from Lethbridge-West just shared a lot of really important points here. She noted: look, just last week was public service week, and this government is celebrating by not celebrating the public service, by acting in very bad faith and bringing down the legislative hammer on nurses, on librarians, social workers, food inspectors, sheriffs, and correctional officers. And, as I said as well, I mean, there was her brilliant assessment of the Charter rights, too.

**8:40**

You might say: well, that's great, Member; you're sharing thoughts from your side of the floor; we get to hear that a lot. Yeah. Well, I just wanted to make sure that all of those perspectives were on the record. But I also want to share the perspective of a number of others who, again, have been leaders in this province in the labour movement and beyond and have put workers' and Albertans' rights at the forefront.

We know that Guy Smith from the AUPE noted that this act is abusive. He called it an assault on collective bargaining, a violation of members' rights. Interestingly, he pointed out that this is authoritarian, that it's ideological, which is interesting because, of course, we hear from the other side so often that our moves are ideological. As I sat down and tried to analyze this bill and work through it, I can't really understand why this government is moving forward with this other than for ideological reasons. Yeah. Guy Smith points out that, you know, this does nothing but create labour unrest, and what concerns me is that he talked a little bit with the media about the fact that he has not seen this level of anger and worry amongst his members. Again, these aren't folks who are just out to get a wage increase. Not at all. They're looking for an opportunity to negotiate in good faith. They're looking to see their fundamental rights as workers respected. Guy Smith points out, as I noted earlier: listen, we know; we understand that any government is going to look at their financial situation, for sure; we get that. But this is a legally binding contract that his union, AUPE, entered into

with the government of Alberta and other employers, and the arbitration process was a really important part of that. They are breaking a contract.

Now, Gil McGowan from the Alberta Federation of Labour points out that – you know what? – we're talking about workers who've, you know, already willingly given up two years to wage freezes as a part of trying to assist the government in dealing with a recession that was quite damaging. So, again, we're talking about folks who've made a sacrifice in order to help the government, and now they're being burned. Reading through this a little bit, he points to section 5(c) as being most troubling. It notes that the Lieutenant Governor in Council may make regulations "respecting any other matter that the Lieutenant Governor in Council considers necessary or advisable for carrying out the intent of this Act." Essentially, what that means is that the government would be allowed to make regulations on anything that it deems necessary to fulfill the intent of the act, including, as we've talked about, imposing contracts without negotiation.

McGowan points out: listen, if it was only about postponing arbitration, there wouldn't be any need for this government to give themselves sweeping powers. If this government wants to move forward and wants to think about the repercussions on workers in this province, then maybe they should think about that clause and about removing it. There's really no other reason why it's in there. His point is, ultimately: let's put Bill 9 in the shredder. We know that it's a bit of a warning to this government that thousands and thousands of Albertans are going to be upset. Again, we've seen historically, when you get a whole heck of a lot of public-sector workers who are unhappy, what the outcome can be.

Now, a few folks in this Chamber tonight have spoken to the United Nurses' perspective on this. I think it's an important one. I'm happy that our leader in particular highlighted nurses because, of course, Bill 9 strips the contract of the provision on which the UNA's agreement to the previous wage freeze was based. Now, we know that if Bill 9 were to be passed, the UNA's negotiations will be put on hold, basically, until Halloween.

Now, the president, that the Member for Calgary-Buffalo spoke a little bit about as well – we know that she's been an incredible leader for the nurses and an incredible labour leader for decades now, and we very much respect her opinion and her experience – pointed out that she's never seen this level of interference. She said that she hadn't even seen it under the Klein government in the mid-90s. Even in the dark days of the 1990s the government didn't reach into collective agreements like this and violate the constitutional rights of workers in this province. Again, we're talking about unprecedented moves here.

The UNA and other unions, of course, are going to be kind of looking at their response here, but one of the things that David Harrigan, who is the director of labour relations, pointed out – again, it's public-sector employee week – is that he's concerned and worried about the morale of his workers. He's worried about the . . .

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available for a brief question or comment, and I see the hon. Member for Edmonton-Ellerslie has risen to provide just that.

**Member Loyola:** Thank you very much, Mr. Speaker. I think that the Member for Edmonton-Highlands-Norwood expressed an incredibly important point in that this unconstitutional and, in fact, illegal way of this government acting is not only going to be affecting the workers of the unions that are being represented within these collective agreements but also their families. We're talking about 180,000 families from across Alberta that are going to be affected by this. I know that the Member for Edmonton-Highlands-

Norwood is an incredible door-knocker. She's always out at the doors in her constituency talking to people, and I was hoping that she could express a little bit about some of the conversations that she's had with her constituents as it may apply to this particular bill.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Member Irwin:** Thank you, Mr. Speaker, and thank you, Member, for that follow-up question. Yeah, absolutely, I did of course knock on a lot of doors many, many times, and I've pointed out a few times in this House that I'm so proud to represent Edmonton-Highlands-Norwood. We are, I guess, what you might historically call sort of a working-class riding. You know, we do have a lot of folks who are in the labour movement. We've got a lot folks who've busted their rears for a very long time and have done a lot to build the labour movement.

In my time door-knocking – and if anyone is saying, “Well, you haven't been an MLA all that long,” I did of course have a federal run, so I've been knocking on doors for many, many years and been able to hear from a lot of folks in the constituency. We have teachers, we have nurses, and we have folks who are working in – this is actually making me remember a conversation I had with a sheriff who lives in the riding. He actually brought up with me that he was concerned about what might happen under another government. At that point, I mean, it was, obviously, pure speculation, but he was, I guess, correct in his early concerns about a different government.

In speaking with so many folks in my riding, I do think that I'll be hearing from a lot of them. I'm going to be sharing more about our caucus's stance against Bill 9, and I think this is going to resonate with a lot of folks in my riding. This is going to be a big concern because, as the member noted, it's not just an attack on workers; it's an attack on their families. There are a lot of folks in my riding who do struggle. We have some of the highest rates of poverty in the province. You know, for some of these folks who are struggling to get by, say one-salary families, an attack on their wages is not going to be accepted lightly.

I think I'll just continue a little bit because I wasn't quite finished. I want to just bring it back to some of the concerns that came from the nurses. Again, I've met with a lot of health care professionals and nurses in my riding, and I started to say that, you know, they're concerned about morale. I worry about thousands and thousands of nurses and teachers. I haven't even talked about teachers and education yet, which, of course, is my passion, but I'll talk about that later if I can.

8:50

As I noted, David Harrigan, who is the director of labour relations with the United Nurses of Alberta, mentioned that it's going to make it difficult not only to continue to have a boost in morale amongst his members but to attract and maintain staff, and he's worried that in the long term this is going to have an effect. He points out the fact – I mean, a lot of you know that I lived in rural Alberta for most of my life. I grew up in Barrhead, Alberta. I taught and was a vice-principal in Bawlf and Forestburg, Alberta. So I spent a lot of time in various parts of rural Alberta. In a lot of those areas they have a hard time attracting nurses and staffing hospitals and other health care facilities. Again, you know, if I'm a young person in one of those areas looking to go into a career, I may not be interested in nursing or teaching or some of these other areas that are going to be facing attacks from this government.

I think the UNA and the AUPE, the AFL, all these other organizations that I mentioned, are rightly concerned, and I urge this government to think carefully about . . .

**The Speaker:** Thank you to the hon. member.

I see the Member for Edmonton-Riverview has risen to debate.

**Ms Sigurdson:** Well, thank you very much, Mr. Speaker. Of course, we are talking about Bill 9, the Public Sector Wage Arbitration Deferral Act. We understand that the purpose of this bill is to delay bargaining with unions in Alberta till the end of October, October 31, 2019, and we know that about 180,000 front-line workers will be impacted by this. Really, this is the government breaking the law. They're abusing their power by attacking front-line workers by legislating a delay in the wage talks.

We know that they're saying to us, you know, suggesting, that it's very innocent, that they just need to look at the government's financial situation, that they need to wait for this panel that is going to give us a report. I think the report is supposed to come out in August, yet it's October 31 that they're delaying until. There seems to be quite a bit of discrepancy in that time frame. So, then, I ask myself how that is. If they have, maybe, mid-September, that gives them a little time to review, but actually it's months later, October 31.

The argument for them delaying it that far is not clear. They're just saying that they need this time to look at it. I would suggest that perhaps it has something to do with the federal election and that they're delaying it this long because they don't want any kind of bad news in Alberta, where they indeed go much beyond delaying the talks but cutting the wages of front-line workers in our province.

Certainly, our government treated front-line workers with respect. We held good-faith discussions with public-sector workers. These workers are keenly aware of Alberta's economic circumstances. By our negotiating in good faith, we secured good deals for Albertans through tough economic times. But this Premier, this UCP government are actually stealing from workers in order to give a big corporate tax cut of \$4.5 billion to corporations, and they're doing it on the backs of workers. This is certainly why on this side of the House we are standing strong in that this is absolutely the wrong path forward. Asking workers once again – I mean, of course, Alberta has had a history of this, of not respecting workers' rights, but this is the most recent travesty.

You know, when the Premier was elected, he was asked a little bit about his vision and what he saw for the province. He was asked, “Are you going to have mandate letters for your ministers?” and he goes: “No, no, no. I'm not having mandate letters. Just look in the throne speech – you see the throne speech that we've laid out – and also go to the platform.” Since we don't have any mandate letters, I've done just a little bit of research. I've picked up the throne speech and have sort of dog-eared it and highlighted and underlined and done a few things, and I'm looking for: where does it say anything about this? It doesn't, Mr. Speaker. It's not in here. So it's a surprise.

The only thing I see that it really says is on page 2, where it says: “Bill 2 will be the Open for Business Act. It will strengthen the rights of Alberta workers within unions.” Excuse me? I mean, the actual Bill 9 does absolutely the opposite of that. Of course, Bill 9 is not in here. Nowhere is there any kind of indication shown that this was part of the government's plan. That's really the only thing I can see, but of course that's not being manifested. That's not what's happening. This delay is taking away workers' rights. It's not supporting them within unions; it's actually hurting them. So, okay, I looked into the throne speech because that was what the

Premier directed us to do to understand what he's doing, and I came up empty, as you can see by that.

Then I thought: okay; I'll dive into this UCP platform with all of their promises to Albertans in order to get elected. So I'm looking on page 12 now, and at the top of the page it says, "Our Top 5 Commitments." Commitment 4 says, "Get our fiscal house in order." And then it says, "Balance the budget in the first term through economic growth and prudent spending without cutting front-line services." I mean, really, in these five top commitments that's the only thing that's even close to addressing anything to do with, you know, the civil service and perhaps unions. I'm looking at that, but of course it says nothing about delaying negotiations with unions. It says that it's not going to cut front-line services, but certainly the suggestion now, Mr. Speaker, is that that indeed is what is going to happen. This, again, just like in the throne speech, seems to be doing the opposite of what they're professing. So I'm confused by that. I think that maybe some Albertans might be confused by that, too. That's only page 12, so I dug a little deeper. I'm still looking for some inkling of the UCP's indication that this was going to be something that they were going to do.

I know that something that they have taken great pleasure in attacking the NDP government on is: oh, it wasn't in your platform. They say this in a very proud manner. Yet happily they are passing this bill, which was not in their throne speech, not in their platform. I suppose we're just supposed to give them a pass on that. I don't know if they can see the unfairness in that. I guess I just want them to be aware that, you know, having integrity is an important quality.

On page 48, at the top of the page, it says, "Making Life Better for Albertans." In this one it talks about: "The United Conservative plan to make life better for Albertans includes the following commitments." Then at the very end of the page it says that they're going to be partnering with nonprofits, charities, and volunteers and that this "will help create a brighter future for Albertans who need a hand up by assisting the groups best positioned to help Albertans in their communities." Ah. Oh, I'm starting to sort of understand. Oh, okay. They're going to download government services even more to the nonprofit sector, to the voluntary sector, and really move to sort of a charity model of service rather than a human rights model. Okay. Well, that was in there. I don't know if everybody made the connections there, but that was just what I saw with that one.

Then I just dug a bit deeper. On page 72 it says:

Harnessing the Power of Civil Society  
Every day tens of thousands . . .

I'm reading from page 72.

. . . of Albertans give their time, treasure and talent to helping those most in need. These volunteer efforts are often informal, and sometimes take shape in charities and [nonprofits]. They care for those struggling with addiction, homelessness, social isolation, poverty, violence, and so many other challenges . . .

One of the first principles of conservatism is that civil society should come before government, and that voluntary groups are generally more effective in preventing and reducing social problems than a big, bureaucratic state.

Anyway, there's a whole bunch more of this.

9:00

So then I think: ah, it's coming even more clear. This government believes that volunteers in communities can deal with significant social issues like homelessness, violence, addiction. They really are going to deprofessionalize social services in Alberta. I think that's what I'm interpreting from this because it's, you know, talking about: oh, volunteers can do things just as well as professionals. That's what it's implying, and I would really caution this government to be very careful about that. These are complex social

issues, and if anything, we should be going in the other direction. We should have more professional services for vulnerable people.

Certainly, the outcry that I heard from, at the time, the opposition when we were government regarding Serenity's case was not that we should be deprofessionalizing social services but, actually, we should have more professionals. Now that they're government, it's like: anybody can do that work; you know, you just need to be a kind person. Well, I would challenge that argument. I would say that these people who are professionals in unions, who are social workers, mental health therapists, nurses have a very high level of education. They have training. They have experience. They are best suited to support people who are facing multiple challenges.

I have, of course, some first-hand experience of this working in, you know, child welfare. This was some time ago, but I worked front line serving very vulnerable families in very complex cases. My thought when I was working on those front lines was that, actually, we need higher levels of education than were there then, at that time. I would still say that that's still how it should be. Certainly, last year I had a disturbing diagnosis. I was diagnosed with leukemia, and I of course spent a tremendous amount of time in the hospital. After my 44 days in the hospital I then went every week for chemotherapy until the end of February. Let me tell you. Those doctors, nurses, people in support roles, the aides: they do tremendous work in that, and they need to be honoured and respected.

I don't hear that from this government. I don't hear that at all. I hear, like: okay; we have some fiscal troubles, so we need to have this panel and we need to review the situation here in Alberta. But why the delay for so long, if at all, of course? It's against the law. It's unconstitutional, as many people have said. It's these people who actually support all of us so fundamentally. It's so easy, a tax break of \$4.5 billion for corporations, yet people who are, you know, serving and committed to making life better for all Albertans are the first ones who are now being thrown under the bus. I guess, you know, even though it's certainly not explicit and I had to do a little bit of digging to find these things, I see more the direction, this sort of deprofessionalization and not valuing public services, not valuing unions, that the government is moving forward to be doing.

Of course, I'm certainly a firm believer in the human rights model of social services, not the charity model, where people have a right – people have a right – to housing, and people have a right to social programs. You know, in my time as the Minister of Seniors and Housing I can tell you some amazing stories about the public servants who served Albertans – I'm so proud to know them and to have worked with them over those years, as I have previously as a social worker – and how grateful I am to be a recipient of such expertise, professionalism, and care as a patient in our hospital system.

I just want to talk a little bit about the public servants in the Ministry of Seniors and Housing because I feel like, you know, I want the members opposite to realize who they're impacting, what these people do, for who they do it, and their dedication in so doing, to be conscious of who they're impacting. In the seniors division of Seniors and Housing there are several programs that are in the place. One of them is the Alberta seniors' benefit, and it's certainly an income support program that supports vulnerable seniors who are on low income. It tops them up from the federal funding that they have, and it supports them to be able to live with dignity. I'm so proud that our government indexed . . .

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. I see the Member for Lethbridge-West has risen.

**Ms Phillips:** Sure. Thank you, Mr. Speaker. I would like to hear a little bit more about all of those fantastic, positive stories about being the Minister of Seniors and Housing and really engaging with the broad diversity of this province and meeting people's needs in a way that is respectful and that also respects the work that front-line workers do in terms of the health care, social, and economic needs of the broad diversity of our population here in Alberta.

**The Speaker:** The hon. member.

**Ms Sigurdson:** Thank you very much, Mr. Speaker. Certainly, I'm pleased to continue. I was just talking about the Alberta seniors' benefit. As I said, this program serves 162,000 seniors with low income in our province. As I was saying, one of the things our government did was that we indexed it to the cost of inflation, so each year it wasn't like they were getting less and less. They were able to keep up. They're on tight incomes oftentimes. That's a lot of people they supported. Of course, who administered this program? Who made sure that people received their funds and their support? Who helped, you know, if there was a problem like someone moved and their address didn't change, all those things? Who took care of that? Those are public servants. They gave very important service to vulnerable seniors.

Another program that is administered, of course, by public servants – of course, they're part of AUPE here – is the seniors' home adaptation and repair program. That program provides low-interest home equity loans to seniors for repairs they may have. Sometimes seniors can't stay in their homes because maybe their roof needs to be fixed or maybe now they're in a wheelchair and that house has a lot of stairs and they can't navigate that. This program gives them a maximum loan of \$40,000, and it can support them to make those renovations in their home so that they don't want to move. Certainly, one of the things I heard loud and clear when I was Minister of Seniors and Housing was that seniors want to stay in their own homes. This program that we created helps seniors to do that.

I know one couple out in Sherwood Park. They had a four-level split. The wife has multiple sclerosis. Of course, it's a degenerative disease, so it's going to get worse. She has a walker. She can take the stairs, but some days she is better than others. Since they have a four-level split, you know, there are lots of stairs up and down to go to different floors. They looked into putting in sort of a lift up the stairs and down the stairs, and it was too expensive. They would have to move, they decided. They can't do it. That broke their hearts because they had this beautiful home that they had many years of living in with their children and many fond memories. They had this magnificent backyard with lots of trees and bird feeders that had been immaculately cared for over the years with much love, and it was breaking their hearts.

**9:10**

We know that oftentimes if people have to move from where they want to be, it can really negatively impact their quality of life. When this program came forward, they applied for it, and they found out that they did qualify. They were able to put in the lift, and that just made the big difference for them. They could stay for another 10, 15 years in that home. That meant their quality of life and their happiness was important. Who administers this program? Well, of course, union members, AUPE. I think that that is a valuable program for Albertans.

We also have a special-needs assistance program, and this program helps people who may need personal and health supports. Maybe they're diabetic and they have to pay for some of the materials they need to take care of themselves. This special-needs

assistance also supports people who may need some help buying new appliances. Maybe their appliance failed, and now they need a new one.

So these are all very important programs, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-McClung has risen.

**Mr. Dach:** Thank you, Mr. Speaker. I'm pleased to rise this evening to speak to Bill 9, Public Sector Wage Arbitration Deferral Act, a bill that we on this side of the House call, for good reason, the bargaining in bad faith act because there is an underlying assumption in this country and in most western democracies where the rule of law prevails and is respected, an underlying presumption and assumption, that the law will be followed, that bargaining will be done in good faith, and that governments, companies, and individuals will actually respect the contracts that they've entered into.

But, Mr. Speaker, don't take my word for it. I've been doing a little bit of research on the matter and found a very interesting Supreme Court decision in a case in 2014 in an article that I'll table in due course that was written by Drew Hasselback, November 13, 2014, in the *Financial Post*. The title of the article, indeed, says Supreme Court of Canada Imposes General Duty of Good Faith in Contract Performance.

The Supreme Court of Canada says 'good faith' is an implied term to all common law contracts [in Canada].

One would assume, Mr. Speaker, that that would apply to labour contracts entered into by one government which are then under the responsibility of a succeeding government. The implication is, of course, that the Supreme Court believes that contractual obligations would have to be respected by the succeeding government.

[Mr. Milliken in the chair]

I will be speaking about this article a fair bit and quoting from it. As I mentioned, I will table it at the first opportunity. The article goes on to say, Mr. Speaker:

Honesty isn't just the best policy – it's the law, the Supreme Court of Canada has ruled. In a case released Thursday . . .

That would have been in November 2014.

. . . called *Bhasin v. Hrynew*, the court said Canadian contract law comes with a duty of good faith that requires parties to perform their contractual obligations honestly.

A pretty clear-cut case. The case judge goes on to say:

"Finding that there is a duty to perform contracts honestly will make the law more certain, more just and more in tune with reasonable commercial expectations," wrote Mr. Justice Thomas Cromwell in the unanimous seven-judge decision.

The article goes on to say:

Commercial lawyers have been following the case closely. Some specific areas of law, such as employment and insurance, come with implied terms of good faith. The question was whether the court might apply the doctrine of good faith to all deals made in Canada.

"I think this is the most important contract case in 20 years," said Neil Finkelstein of McCarthy Tétrault LLP, counsel for Harish Bhasin, the plaintiff who won the case. "We're going to find another series of jurisprudence arising out of this case over time about how far this duty of good faith and duty of honesty goes."

Justice Cromwell acknowledged that the common law has long resisted acknowledging a general duty of good faith in contracting outside those specific areas. The piecemeal approach of Canadian common law is out of step with the civil law in Quebec and in most U.S. jurisdictions, he wrote.

"In my view, it is time to take two incremental steps in order to make the common law less unsettled and piecemeal, more

coherent and more just. The first step is to acknowledge that good faith contractual performance is a general organizing principle of the common law of contract which underpins and informs the various rules in which the common law, in various situations and types of relationships, recognizes obligations of good faith contractual performance. The second is to recognize, as a further manifestation of this organizing principle of good faith, that there is a common law duty which applies to all contracts to act honestly in the performance of contractual obligations.”

Mr. Bhasin, the plaintiff, had a business that sold RESPs. He struck a deal to sell his customers RESP products provided by the defendant. The contract automatically renewed every three years. Either party had a non-renewal right on six months’ notice. The written agreement did not require the company to provide a reason for ending the deal.

Mr. Bhasin argued that the contract was terminated in bad faith. He won a judgment in an Alberta trial court, but that decision was overturned by the Alberta Court of Appeal. The provincial appellate court found that the trial court had erred by implying a term of good faith in a deal that contained a clear, unambiguous termination clause.

The Alberta appellate ruling was appealed to the Supreme Court of Canada, which heard the case last February.

That would be in 2014.

Justice Cromwell said the respondent RESP company, which was formerly known as Canadian American Financial Corp. (Canada) Ltd., misled Mr. Bhasin about the circumstances involving the termination of the agreement in May 2001. The judge awarded him damages of \$87,000 plus interest.

Eli Lederman of Lenczner Slaght Royce Smith Griffin LLP, counsel for the defendants, said the case fills a gap in Canadian law by creating a general organized principle that parties are to act honestly in the performance of all contractual obligations. Yet that does raise questions, he said.

“What does it mean if you have a generalized duty to act honestly in your contractual obligations? When you exercise a contractual right not to renew an agreement, does that you mean you have to explain your reason for doing so?”

Counsel for Mr. Bhasin argued in their factum that the freedom to contract comes with reasonable limits. Good faith should exist when a party is exercising a discretionary power that can devastate a counter party, they wrote. He was represented by Mr. Finkelstein and Brandon Kain of McCarthy Tétrault LLP, John McCamus of Davis Ward Phillips & Vineberg LLP and Stephen Moreau of Cavalluzzo LLP.

“The law of contracts is not exempt from basic requirements of honesty and fairness,” Mr. Bhasin’s lawyers argued. “One need look no further than the existing jurisprudence of this court, which recognizes the duty of good faith in employment, insurance and tendering agreements, in addition to cases like this one where a discretionary power is exercised for an improper purpose so as to defeat a party’s legitimate contractual objectives.”

Mr. Lederman, Jon Laxer and Constanza Pauchulo of Lenczner Slaght, counsel for the defendant RESP company, countered that the first principle of common law contracting is that parties are bound by the terms they have agreed to, not what they ought to have agreed to. “To succeed in this appeal, Mr. Bhasin must persuade this Court to adopt a radically new contract model which would give effect to new, unbargained for rights and obligations,” they wrote.

9:20

Mr. Speaker, this case is a very interesting refutation of the principle underlying the government’s desire to run roughshod and totally disregard their obligation that is reinforced by the Supreme Court ruling in 2014, by their obligation to act honestly and in good faith. It’s enshrined in Supreme Court rulings that govern contract

law in this province. Whether it be in employment, whether it be in corporate law, in any type of law in this country, this ruling has clearly stated that all parties to a contract have an obligation to deal in good faith, an obligation to be honest, and not to arbitrarily believe that they have the right to break an existing contract with impunity.

What the Premier and the government are engaging in is going to be a very expensive and totally unnecessary exercise in court proceedings after they, if they’re able to, pass this legislation. If they decide not to back down and reconsider what the consequences of doing so are, there’s some clear-cut case law in this country, Mr. Speaker, which will, I believe, make a very, very short and clear and concise court decision, easy for judges to make, once appellants bring this legislation to court.

I can see very clearly, Mr. Speaker, that in very short order, if indeed this legislation is passed, you’ll find that the atmosphere in Alberta in the labour movement, in labour relations between this government and organized labour, is going to be very, very poisoned very, very quickly. In fact, I would go as far as to say that even the introduction of this legislation or this bill has caused a great mobilization among organized labour in this province. I think that’s indeed part of the intent of this government and this Premier, to provoke organized labour to do what this Premier and this government seem intent on doing in many fields, and that is to create chaos, to create acrimony, to create disharmony, dissonance, to be churlish, to look towards disarray, discord, and disorder, because this government, this Premier in particular, thrives on it. He indeed, I believe, is looking to create straw men and burn them down and then, as a result of that, suggest he’s solved the problem.

The real truth of Bill 9, the Public Sector Wage Arbitration Deferral Act, the bargaining in bad faith act, is the government’s and the Premier’s dislike, distrust of organized labour. This is really a very unfortunate circumstance to be in, when you have a Premier who really doesn’t look at who comprises organized labour. I mean, it’s people. It’s families. It’s workers. Other speakers before me have gone into this in detail, Mr. Speaker. These are people who work in this building every day, people that we as members of the Legislature and our Premier purport to respect yet attack without mercy their right to negotiate freely and enter into a contract they should expect will be dealt with in good faith and honestly and would be adhered to by successive governments.

This bill purports to simply delay. It’s legislating a delay to wage talks. However, the real purpose behind it is multifold. It’s political. It looks to delay the dissonance that will occur as a result of labour unrest. It’s going to happen if indeed these labour negotiations are to take place before the next federal election. They wish to defer the breaking of these contracts and defer the renegotiation until after the next federal election in an effort to pave the way for the national blue machine, the Manning-Harper politburo, to do their work.

They’ve also seemingly gotten instructions through the Doug Ford Conservatives as well, and they seem to have been told, you know, to hold Doug Ford under a rock until after the next federal election is over. I believe that now the legislative session is over or nearly over in Ontario, a clear five months before the federal election, in an effort to make sure that the only thing that Doug Ford gets seen in is a flower lei in a pride parade, with the police along for the ride.

I’m not really surprised that the Premier in this province has made it his business to make sure that the labour legislation that would cause the chaos and disharmony that we see involved in this legislation – we see he wants to kick that can down the road past the next federal election. The – I don’t know what you’d call it – gang of six plus the federal triumvirate: those individuals all together in the Manning-Harper politburo are looking to install their



champion federally and end up with what they hope is a blue wave across the prairies and into Ontario.

We'll figure it out in good time, they think, but we've figured it out already, and we see through it pretty clearly. They seem pretty happy with themselves on the other side of the House.

**The Acting Speaker:** Hon. members, 29(2)(a) is available. I see the hon. Member for Edmonton-Ellerslie rising to talk.

**Member Loyola:** Yes. Thank you very much, Mr. Speaker. I was so enthralled by the comments of the Member for Edmonton-McClung, and I was hoping that he would continue expressing his opinions on: exactly what are the political interests behind what's happening here?

**The Acting Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Dach:** Well, thank you once again, Mr. Speaker. I know that much of what is done in this House is political, and this piece of legislation is no different. It's a mechanism to attack organized labour, and people will fight back. I know that this Premier is hoping that the organized labour forces in this province will go out with a whimper, but, no, they're not going to go out. They're going to come with a bang.

This Premier is maybe underestimating the forces that are at play here, and I think we're going to see in pretty short order the same kind of thing that Beijing recently saw when they started limiting rights in Hong Kong. That politburo there is definitely one that saw the rancour of their masses because they rose in uproar and put themselves in the streets. Millions of people in Hong Kong said: "Uh-uh. We're not taking this type of dictatorship, and we're not going to be losing our rights. You had a bargain when you took over Hong Kong, Beijing, and the bargain was that you would leave our democratic rights and freedoms in place."

Their attempts to break that bargain, their attempts to in bad faith and dishonestly disregard the bargain they had made in the handover in 1999 of Hong Kong to mainland China, are something that was resonating right through the whole Hong Kong people. It was a breath of fresh air, albeit a scary one, to see those people in Hong Kong rise up against a government that broke their promise, that brazenly thought that they could get away with disregarding the law, with breaking a contract, with breaking an agreement that was openly signed and freely signed by two parties in agreement.

Fundamentally in this country, Mr. Speaker, we have an obligation, according to the Supreme Court of Canada, to deal honestly and in good faith when we are observing contracts no matter which party is involved. The same goes for governments, honesty and in-good-faith contracting, whether it's an international contract such as the one that Beijing and Hong Kong entered into when the colony of Hong Kong's contract with Britain expired – Britain honoured that contract and handed it over, back to mainland China, expecting that republic to in good faith keep the fundamental freedoms that Hong Kong had been granted in that negotiated good-faith contract between Beijing and Great Britain. However, they decided that they would break that contract, and people rose up in the millions, knowing that ultimately, if a government is going to break contracts made in good faith, what's next is democracy in the streets.

9:30

That is indeed, Mr. Speaker, what we're going to see as far as the labour movement goes in this province. Maybe that's what the Premier wants. Maybe that's the type of fight he revels in. Maybe indeed pitting Albertans against each other is exactly his goal. Maybe it's his goal to see all the teachers and nurses and doctors

and public servants up in arms, worried about what their jobs are going to be and wondering why in the world their Premier saw fit to attack them when indeed they thought this Premier was one who would stand up and be a champion for democratic and fundamental rights, one who has fought for many things in his life with some pride and some distinction.

However, this is not one of them. This piece of legislation is something that he should be absolutely ashamed of, and the people of this province are going to rise up and tell him so, just as the people of Hong Kong have risen up to tell the politburo in Beijing that they will not stand for a broken-faith contract, that they will not stand for dishonesty, that they expect a deal to be a deal and that it will be abided by the government in power. As the Supreme Court of Canada here has said in this province in a case that was adjudicated in 2014, which established right across the legal world in Canada that a contract is a contract, that it must be abided, that it has to be respected, that bad-faith bargaining is unacceptable, and that the politburo in Canada, in this country, has to be held in check.

**The Acting Speaker:** Hon. members, are there any others wishing to speak? I see the hon. Member for Calgary-Mountain View standing.

**Ms Ganley:** Thank you very much, Mr. Speaker. I'm very pleased to rise and speak to Bill 9. As my colleagues have said before me, I'm rather troubled by this bill. There are a series of legal, policy, and democratic reasons for that, but I think the one that actually speaks to me most strongly is that the way this has been framed is as some sort of grievance, some sort of standoff between the public, the taxpayer, and public-sector workers. I think the first thing to point out is that public-sector workers are people, too. They're people who pay their taxes and volunteer in their communities and contribute to their communities. I think that that distinction is a little bit arbitrary.

Another thing worth noting is that when this province went through a very devastating economic recession just recently, these were the first people to the tables. They came to the table, and most of them took zeros over the course of several years. Teachers, for instance, have had zeros for five years running now. It wasn't that they were trying to pull one over on the taxpayer or trying to get more than their due. They were more than willing to come and work collaboratively with the province. When we said to them, "Look, we're in a recession, and we're having a tough time," they understood that because they're part of the community. These are their friends and neighbours, and they contribute to that community. So those folks came to the table. They came to the table and they participated, and they did their part, like many others have done. I think that punishing that behaviour is inappropriate. Suggesting that they haven't done their share, that they haven't done their part, that they haven't been willing to work with the people of Alberta I think, frankly, is just wrong.

To me, the deepest and most resonant reason that I am troubled by this is because it didn't need to be done. These are people who have shown a willingness to be reasonable and open and to have reasonable conversations about how we can move ahead in a way that is helpful to everyone. I think that doing this was very unnecessary.

It obviously goes without saying that this breaks the law. I mean, not only does it break contracts, but it's clearly been ruled as contrary to the Charter, and I think it's an attack on front-line workers. I think it's part of our larger communications war against working people, and I'm troubled by it. I think that, you know, suggesting that workers, particularly workers who have had little or

no increases recently, are somehow the problem here is very inappropriate.

You know, we're using, essentially, a legislative mechanism to override a contract. Basically, the province made a deal. Admittedly, governments change in provinces. That's the case the world over. We nonetheless expect those entities to be held to their contract. Otherwise, no one would ever contract with the province if it was the case that every time an entity with a political head, whether it's a province or a state or a country, changed government, that government was just able to rescind magically all of the contracts that it had signed. No one would ever make a deal with the province because the province couldn't be held to its word in the right sort of way. That ability to hold an entity to the contracts that it has made is a pretty fundamental principle in the legal world. So this is a pretty big deal, not just because it's attacking workers but because it's breaking a contract. More to the point, it's breaking a contract which the Supreme Court has said shouldn't be done in this way. It's no longer considered appropriate. I would argue that it never was appropriate and that the court has just come to this recently.

Anyway, this bill will impact a lot of workers. It'll impact 180,000 workers, and those workers, again, are people in our community. They're people who have gone through the same recession that we have gone through. They're people who have experienced hardship, whose family members may have lost jobs and who may now be the sole income earner. They're also people who provide services to each and every Albertan.

I, obviously, had a child recently. It was during a recession. I am pleased to say that despite the recession, I still received the same quality care that I would have received had I had my child before the recession, and I think that's important. I think that when our loved ones get sick or when our children go to school, they should receive the same quality of care regardless of whether we're in a recession or not, and I think that's what's owed to folks who have paid in over the course of years.

I think the other thing that troubles me about this bill is that it's intended to shut down a conversation. The government didn't even go to these folks to negotiate, to talk about whether or not this might be reasonable, to talk about whether they might have some more time to consider the fiscal situation. They took this step almost immediately, and I think that that's, well, not a very good way to start off any relationship, really. I think it borders on bullying. Yeah, I'm troubled by what the reaction might be to this because I think people will stand up for themselves. I think that people will stand up and say: this isn't right. That can have a serious impact on front-line services.

In fact, you know, we've seen labour peace for the last four years, but it wasn't that long before that four years of labour peace that we had a fairly serious wildcat strike involving remand centres and courts and a whole series of employees, and I think that wasn't good, ultimately, for anyone. Those employees felt that they hadn't been heard. We spent a long time working with the union and working with those employees to try to ensure that in future they do feel more heard.

9:40

Ultimately, in any new situation when you come through the door, the first thing you should try to do is work with people. You shouldn't resort immediately to the hammer. You should begin by assuming that people are reasonable. If you come into a room and immediately behave unreasonably, if you come into a room and immediately throw a tantrum, your odds of getting reasonable behaviour back from the other parties in that room are a lot lower. That's essentially what this government is doing. It's stepping into

a room and using the biggest hammer it can think of and the biggest bully tactic it can think of right out of the gate. I think that it's bad faith, and I think that it's sad in light of the fact that the government for four years operated in good faith and made a lot of progress in terms of bending the costs.

I don't know, Mr. Speaker, if you're familiar with this, but before the NDP took government in 2015, the provincial budget growth sort of looked a lot like a porcupine. It was up. It was down. It was up. It was down. It didn't seem to have much relation to anything. Since then we've seen a levelling out of that, a predictability in costs, which is good for those providing the services, but it's also good for the taxpayer because instead of having costs spike unreasonably in some cases and then radical cuts in other cases, it just sort of floats along below CPI plus inflation, which I think is ultimately what we should all be aiming for.

This will postpone wage talks for a lot of workers. There's been a lot made of the fact that it's just a postponement, but it isn't really. If they just wanted to postpone it, they could have sat down with folks and asked them to postpone it, but they didn't choose to do that. The timing I don't think is a coincidence. I don't think the fact that the timing lands suspiciously immediately after the federal election is a coincidence. I think it is, in fact, by design, and I think it's by design because the members opposite don't want to suffer the fate that the Premier of Ontario has suffered with his dropping numbers, specifically when they're in a position to assist their federal friends in advance of the election. I think that it's disingenuous at best and also very, very sad.

The folks who are impacted by this, like I said, are people throughout the province, people that we deal with every day. They work at colleges and universities. They work in health care facilities. They're teachers. They're nurses. They're other health care professionals, administrators, professors, all sorts of people throughout the province.

You know, it's ironic, actually, that we're having this conversation right now because I think it was only two weeks ago when we all in this House had a long conversation about how important public-sector workers can be to smaller communities throughout Alberta. This arose, of course, out of the closing down of a federal facility. We all had a conversation urging the government to take into account those local economic impacts. But this will have local economic impacts, too. These workers often work in smaller communities. Often these are good jobs that can allow people to stay in those communities. Many people want to stay in those smaller communities. They don't necessarily want to move to a bigger centre like Calgary and Edmonton. These are decent, long-term jobs that can pay a mortgage, that can support a family, that allow people to stay in those communities where they were raised or where they've moved and chosen to live. I think that attacking those people is wrong. I feel like I should be able to come up with more synonyms for that, but I guess it is rather late in the evening.

The intent of this is clear. We've already sort of seen the communication signals. We've seen, "Oh, we've been lied to," which is usually the thing that Conservative governments say before they impose cuts, which, of course, couldn't possibly be the case because the books in Alberta are prepared by civil servants, and they're audited. Those people are honest and diligent and hard working, so they didn't lie. But that messaging is what's signalling to me, at least, that this isn't just a delay. This is a delay so that there isn't a big fight before the federal election. Then they'll come in and impose.

I mean, certainly, there have been a lot of comments coming from the labour movement from individuals working in these jobs and from individuals representing individuals working in these jobs

about how this is unfair, inappropriate, or illegal, that it's an egregious attack on workers' rights. I would agree with all of those statements, really. You know, ultimately, this will fall to be adjudicated by the court, and it will be adjudicated by the court over the course of several years. It will be expensive for the taxpayers to go through that litigation, and it will be deeply unnecessary, at the end of the day.

I think it speaks to a larger problem about disrespect for the rules. You know, it's one thing to come in and say: I want to disrupt things, and I want to sort of make positive change. Sometimes we talk about disruption as being positive in that way, but it's quite another to come in and to be actively disruptive in a way that attacks people. It's quite another to feel that you are above the law, that you are free to break contracts, that you're not interested in what the courts have to say, that you're not interested in the Constitution.

**The Acting Speaker:** Hon. members, 29(2)(a) is available, and I see the hon. Member for Edmonton-Ellerslie rising.

**Member Loyola:** Thank you very much, Mr. Speaker. I think that the member was onto a really important point in terms of the respect for contract law. Because of her background, I'd like to hear more of her thoughts on exactly that.

**The Acting Speaker:** The hon. Member for Calgary-Mountain View.

**Ms Ganley:** Thank you very much. I think it was an exciting day for me. The Supreme Court has deliberated back and forth multiple times on this issue of people being allowed to form unions and being allowed to strike. Recently they had come to a decision that folks did in fact have the ability to take that collective action, that they did in fact have the ability to come together and choose to strike. That forced a lot of changes in the province, where previously public-sector workers were denied that right. I think that's good. I think that allowing people who have less power in a situation to come together and use their power collectively is incredible.

We read a lot of stories about this sort of thing, right? I don't know why Harry Potter is springing to mind, but that sort of initial scene in the first book, when Harry stands up to Malfoy, when the students come together to be willing to do that, I think, springs to mind. That's the sort of thing I think of now. That's the sort of thing – essentially, the court has said that individuals who usually have less power to negotiate in the circumstances are permitted to come together and collectively use their power so that they are on a more equal playing field and they're able to have a more equitable conversation, and those conversations have to be respected. I think that's delightful. And, well, I kind of feel like we have Voldemort coming in and taking our rights away.

9:50

Yeah, I think it's incredibly troubling to say that we don't have respect for these individuals, because, again, these are people. The government likes to sort of create this dichotomy, like there are people in the community who have suffered in the recession and there are public-sector workers who have taken advantage of it and there's some sort of big fight, but that's not true at all. Public-sector workers are just people. They're often married to people who work in the private sector. You know, they're in the same family, in the same community. I think that dichotomy just doesn't exist.

I think that this attack on those workers, on their rights, and, fundamentally, on the concept that you should keep your word, that all entities should keep their word regardless of whether they're people or corporations or government – if you make a promise, you

should stick to it. I think that that's a pretty fundamental principle not just in law but in the world more generally. This disrespects it, and that's troubling. We should all be troubled by it.

Folks out there may be thinking: well, this doesn't affect me because I'm not a union worker; I'm not a public-sector worker. Well, you know, when people start to come after other people's rights saying, "Oh, it's not me; those aren't my rights, so I'm not going to do anything about it," it can produce a troubling trend, because they don't normally stop at one group. They come after the rights of one group, then they come after the rights of another group, and then they come after the rights of another group. Before you know it, they're coming after yours as well.

This, for me, is the moment where we stand up and we say, "That isn't okay," so that is what I'm doing right now. I don't think that this is okay. I don't think that it's okay to push these contracts off, to break the deals that we have made, and to take away rights that people have fought for long and hard. I don't think it's okay to just break the law, knowing that it will take a while to sort out in the court system. You know, I've said this before in other contexts. The legal process itself should not be part of a punishment, suggesting that you're going to make the wrong decision and let the courts sort it out.

**The Acting Speaker:** Are there any other members? I see the hon. Member for Edmonton-Ellerslie rising to debate.

**Member Loyola:** Yes. Thank you very much, Mr. Speaker. It's an honour to rise in the House today and speak to the Public Sector Wage Arbitration Deferral Act. I can only state emphatically, as so many other of my colleagues have gotten up to say, that this is an incredibly gross abuse of power.

I've gotten up in this House and I've said before that the current Premier, you know, likes to time travel. Actually, it's been said before – and I've said it – that one of the special powers that he wishes he would have if he was a superhero would be to travel back in time. You know, he may have said that in jest at the time, but you can believe that that's what he really wants to do. He wants to take us back in time, right? He wants to take us back to a time where collective bargaining – you know what? I think that's the problem here. He's an individual who's just so against this whole concept of working as a collective. He would much rather see people working as individuals and in a process where people are pitted against each other rather than all of us working together to reach common goals. That's exactly what's going to be happening here with the Public Sector Wage Arbitration Deferral Act.

I mean, the member who spoke before me said it really well – and I want to emphasize that because I think it was such an important point – and that is that they set up this juxtaposition between people who are in the public sector and then taxpayers, as if they're not the same people, as if they're not the same people that contribute to this province and the way that it works.

Now, I've said it before that I used to represent the Non-Academic Staff Association at the University of Alberta, the union that represents all workers there at the university, and the motto of our union was: our university works because we do. That's exactly the point that the member was trying to make. Alberta works because the people of Alberta in that public sector make amazing sacrifices, like the Member for Edmonton-Riverview was highlighting.

Public-sector workers are very altruistic because they're dedicated to the people of this province. The Member for Edmonton-Riverview said it really well, said it incredibly well, that these are the rights of the citizens of this province. This isn't just a voluntary: oh, we're going to treat you nice because we're going to

be good to you. No. This is about the rights of people, and this government and this Premier want to run roughshod, specifically now, over the rights of workers in this province. It's not as if it was unexpected, Mr. Speaker, because this member has a long track record of doing exactly this, not only here in this province but at the federal level as well, of supporting bills and legislation that erode the rights of workers not only here in this province but across this great land of Canada.

I'll remind the members on the other side of the House that this is about the rights of our citizens, the people that work so hard to contribute to the economy of this here land and of this here province. I've said it before – and I'll say it again – that an economy is supposed to serve the people, not a people serving the economy. You know, it irks me that this government and specifically this Premier and other members of his cabinet continue to say that on this side of the House our government, when we were in power, was an ideological government when so clearly he is being ideological in presenting not only this bill but in so many others that have come before this House during this session in this sitting.

They continue to erode rights, whether it be for LGBTQ, two-spirited people, whether it be for workers, or whether it be for anybody else in this province, because they keep going back to that juxtaposition, trying to pit some people against other people when we should be, as a government, focusing on the common good, on mutually agreed ways of moving forward so that everybody in this province can win, not just some of us.

That's the thing, Mr. Speaker. We're going back to Conservative bully tactics of the 44 years prior to when this Alberta NDP government was in power in 2015 to 2019. When we came into power as a government, we decided to sit down with all stakeholders as much as we possibly could to create that mutually agreed understanding upon which we would create a better Alberta for all people, bringing environmentalists together with indigenous rights advocates, bringing people together from the private sector, bringing everybody together so that we could move this province forward into a more modern way of being rather than pitting the citizens of this here province against each other. Yet here we go again, back to the Conservative bully tactics of previous Conservative governments where they're pitting Albertans against each other. [interjections]

And now I hear a lot of jibber-jabber on the other side of the House right now, Mr. Speaker. They can't stand it when I get up in this House and I speak the truth because – you know what? – that's what the constituents of Edmonton-Ellerslie wanted. They wanted someone that would come into this House and not be afraid to say the truth – and no matter what happens to me, Mr. Speaker, I will continue to do that – come into this House and speak the truth against the ideological tactics of this here government and this here Premier, that are pitting Albertans against each other.

**10:00**

Now, this here law, this here proposed law, this bill, the Public Sector Wage Arbitration Deferral Act, is about breaking the law. It irks me as someone who comes from Latin American heritage because – you know what? – so many times these people who purport to support the rule of law will look at Latin America and other underdeveloped nations across this world. They'll point the finger at us and say – what's the word I'm looking for? – “Look how they break the law. Look how they break the law.” They say, “Look how corrupt” – that's the word I was looking for – “those underdeveloped nations are because they don't respect the rule of law.”

Yet here we have a government who's proposing a bill where they're going to be breaking the law. Mr. Speaker, this is just

incomprehensible – incomprehensible – how people will get up in this House and preach about how important democracy is and how important liberty is, how important freedom is, and at the same time will propose to break the law of this land and not only break the law of this land but run roughshod over the rights of workers here in this province.

The process of arbitration is a fair process, one designed to reach a mutual agreement between two parties, and this government is proposing to actually erode that process, that just political process. Now, tell me, Mr. Speaker, does that sound like corruption, where you want to break down the actual, mutually agreed to process where for so many years it was decided that this would be the way? This government, this UCP government and this Premier, want to erode exactly that right.

**The Acting Speaker:** I hesitate to interrupt. In the excitement of debate, I would just like to remind all members of this House to take a wide berth or steer relatively clear of entering into language that could be perceived as making allegations against another member.

Please continue.

**Member Loyola:** The truth sometimes isn't well liked by members who don't like to hear it, Mr. Speaker. But, like I said, the constituents of Edmonton-Ellerslie voted me in to be their voice and to speak that truth to power here in this House, and I'll continue to do that because that's my job. That's my job, and I take it very seriously.

[The Speaker in the chair]

You know, this Premier and this UCP government want to take us back to a time when individuals were pitted against each other, when they didn't have the collective right to bargain on their behalf as workers. Now, the International Labour Organization worked really hard for a very, very, very long time so that workers all across this world – and Canada has actually agreed to these International Labour Organization agreements on the rights of these workers. We cannot as a government here locally in this province decide which rights of those workers we're going to respect and which ones we aren't when these have been internationally agreed on, have been nationally agreed on by the federal government.

We need to respect those rights as we continue to move forward. We can't say: “Oh, these rights are okay, and those are not. We're going to decide what we're going to respect and what we're not.” At the end of the day, Mr. Speaker, workers' rights are human rights. I stress it again, like the member who spoke previous to me said so eloquently: I'm going back to the idea that these same public-sector workers are the same taxpayers that this UCP government and this Premier here are stating that they are protecting. They're one and the same. They pay their taxes just like everybody else, and they deserve to have their rights respected.

This Premier wants to take us back to that time where the collective right to bargain isn't permitted because he would much rather see individuals pitted against each other and fighting for that opportunity to have that job that they so desperately need so that they can provide for their families and put food on the table. I want to remind all the members of this House of what I call that famous conservative saying: oh, no, don't bite the hand that feeds you. You see, the premise within that saying, “Don't bite the hand that feeds you,” that is so often said to workers when they want to stand up for their rights, is: don't stand up for your rights because – guess what? – it's the people that are providing the job, and you don't want to mess with them because they're going to end up firing you.

I see the Member for Rimbey-Rocky Mountain House-Sundre laughing right now at the fact that workers' rights shouldn't be respected, and coming from him, it's real rich because, as we all know, it's been established in this House that a worker that was working for his company who suffered sexual harassment was fired by that same member. Her rights weren't respected that day, Mr. Speaker.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. I see the Government House Leader has risen.

**Mr. Jason Nixon:** Well, thank you, Mr. Speaker. It was fascinating listening to the hon. member's comments, and there was so much content in there and not enough time within 29(2)(a) to be able to focus completely on everything that he brought forward. There are a couple of comments, though, that I would like to focus on in his presentation to the House tonight, primarily around his comments around democracy and the desire that he has, he says today, for us in this House to respect democracy. I find that in a little way almost humorous as I've watched his party in the last few weeks as they've adjusted to being in opposition.

Mr. Speaker, as you know, the NDP are now the only party in the history of this province to be a one-term government.

**Mr. Kenney:** The only one?

**Mr. Jason Nixon:** The only one-term party ever in the history of this province.

**Mr. Kenney:** There must have been some special incompetence there.

**Mr. Jason Nixon:** Something must have happened there, for sure.

They ended up sitting on that side of the House and becoming the Official Opposition, and over the last few weeks they've had some trouble adjusting to that.

**Mr. Kenney:** I think they're angry about it.

**Mr. Jason Nixon:** It's been interesting to watch that. I think "angry" would be the right word, Team Angry. Now, I've always kind of thought, Mr. Speaker – and I'm sure you'd agree, from your time in opposition, when you watched the NDP when they were in government – that the best way to probably describe them was Team Angry. Anybody who has been in here during question period, I'm sure, would agree with that. In fact, I had a guest come and visit from Calgary today who watched question period today, and I was just visiting with him after question period, and he indicated exactly that. He said that he was quite shocked at how angry the NDP were, how rude they were, and how obnoxious they were during question period.

**Mr. Kenney:** They're angry with Albertans.

**Mr. Jason Nixon:** At its core, Mr. Speaker – and I think the Premier actually pointed this out today during question period – they're angry with Albertans. That's what's going on right now inside the House. They were always angry with the United Conservative Party, primarily because, I think, they're very disappointed to see the Wildrose Party and the Progressive Conservative Party, our two great legacy parties that make up this party, come together and unite free-enterprise Albertans.

10:10

I see the hon. Member for Calgary-Buffalo shaking his head. But I do remember the opportunity to be able to inform the House that

we've been able to create the United Conservative Party and that the days of the NDP government were numbered, and it turns out I was right.

**Mr. Kenney:** It was prophetic.

**Mr. Jason Nixon:** Exactly. I encourage members to check out my Facebook pages. I usually pin that post up top, when I gave that announcement to the House.

But I want to get back to my point, Mr. Speaker, which is that the NDP are angry with Albertans. They're angry with democracy, which is what that hon. member brought up. Instead of going back and asking themselves why they are the only one-term government in the history of this province, why Albertans rejected them governing this province . . .

**Mr. Kenney:** That would require humility.

**Mr. Jason Nixon:** Yes. Humility is exactly the problem, Mr. Speaker. There's no humility from the opposition.

Now, I personally am excited – I'm personally excited – about that, Mr. Speaker, because I think that goes well for the United Conservative Party to continue to have the privilege of being the government of this province for many terms to come if this is going to be the approach of the NDP. Instead of examining the behaviour that put them onto that side of the House, they're going to instead take this approach, which is to come here full Team Angry, ignore democracy, ignore what the people of Alberta said.

By the way, Mr. Speaker, in record numbers, in constituencies like yours and mine, the two first MLAs in the history of this province to break 20,000 votes: that's got nothing to do with you or me; that was the people where we live outright rejecting the policies and the behaviour of the NDP government at the time.

Now, Mr. Speaker, I want to help my hon. friends across the way because I respect the role of opposition in this House, and I really humbly suggest to them, through you to them, that they take some time – there are a couple of years till the next election; they could take a bit of a breath – and have a conversation on why they ended up on that side of the House, that they show a little bit of humility and look at their behaviour and examine if the approach that they continue to take to this Assembly actually benefits Albertans. [interjection]

Again, I hear the hon. Member for Calgary-Buffalo heckling away. One of the reasons why he is in that spot where he is right now is because he was the Finance minister for a government that had us on track to \$100 billion in debt.

**Mr. Kenney:** The biggest per capita deficit in Canada.

**Mr. Jason Nixon:** The biggest per capita debt in Canada. Think about that, Mr. Speaker. And all that hon. member can do is sit here and heckle. How is that helping his constituents right now? I'll tell you that it's not helping.

**Mr. Kenney:** What about his carbon tax?

**Mr. Jason Nixon:** Now, we talk about his carbon tax. That's right. It's a great point, Mr. Speaker, to bring in. Now, I'm running out of time, so I'm going to have some more to say about the carbon tax shortly.

Thank you very much.

**The Speaker:** Hon. members, are there any others wishing to join in the debate this evening? The Member for Calgary-McCall has risen.

**Mr. Sabir:** Thank you, Mr. Speaker. It's my pleasure to rise today and speak in favour of 180,000 workers and their families that will be impacted by this legislation. They include front-line nurses, social workers, care workers, correctional officers, sheriffs, and many more. Sandra Azocar, Siobhán Vipond, two of the representatives, are here to witness this debate, and I welcome them here as well.

I think that when we talk about contracts, they're the cornerstone of our everyday relationships, our everyday lives. If we look around, there are many things that we enter into contracts for; for instance, cellphone and car-leasing arrangements, mortgages. When we enter into those contracts, we agree on certain terms and conditions. For instance, take the cellphone example. I will have this much data, this many minutes, this much service, this many texts, and in return I will pay a certain amount of money. I don't think that, of all of us who use that service, anybody would let the company change the pricing, change the terms and conditions every month just because they can do it. It will be unfair, and all reasonable people will see that as unfair.

Same thing with leasing arrangements on cars: exactly the terms and conditions are agreed upon and then followed by both the parties, so there is a certainty of the relationship, and I think that if a dispute arises, there are usually terms and conditions contained in those contracts, that are followed. Hence, I guess, life goes on in society.

Like those contracts, collective bargaining agreements are also contracts. They were entered into by two parties to agree on certain terms and conditions for what their relationship will look like, how each party will behave, what roles and responsibilities each party will have under that contract. Certainly, that benefits employees. It gives them certainty. It benefits employers. It gives them certainty. It benefits society at large.

But what we are seeing here – and these contracts, I think, if we just talk about union agreements, are also entered into through a democratic process. In the first place, when you establish a union, certify a union, that's a democratic process. People come together, and people agree on certain terms and conditions, and that's how they create those unions. Similarly, when they enter into agreements, that also follows a democratic process. It's not that a few people just sitting at the top of the union enter those contracts. Rather, the membership, through a democratic process, agrees to those contracts, ratifies those contracts. It's also a democratic process, and it ensures the dignity of those who may not have that ability to enter into contracts individually. It protects them. It protects the vulnerable in our society.

These rights are protected under our Constitution. These rights are even enshrined in the universal declaration of human rights; for instance, section 23(4), that gives the right to everyone to form and to join a trade union for the protection of his or her interests. Similarly, ILO, the International Labour Organization, also advocates for freedom to associate and bargain collectively. If we look at our Charter of Rights and Freedoms, I think it has been conclusively decided by the Supreme Court of Canada – and it's the law of the land – that section 2 of the Charter protects collective bargaining. Not only that, it also puts a corresponding duty to bargain in good faith. It puts an obligation on parties to meet in good faith. It puts an obligation on parties to set a time frame for the process. It puts an obligation on parties to have a meaningful dialogue.

What we are seeing here is an authoritarian, undemocratic – undemocratic – and heavy-handed tool that's used by this government to undermine the rights of workers in this province, that are protected under international instruments that Canada is a party to, that are protected under our Constitution, that supersedes all the

legislative enactments of provinces, the federal government. It's protected. That right is protected there, and here we are seeing this piece of legislation that will infringe on those rights, Charter-protected rights, constitutional rights. It's just a law that will give government the power to break the law. That's what it's doing, and it's affecting 180,000 Albertans across this province, their families, their kids.

10:20

We just heard from the Government House Leader about how they've got a mandate and how we didn't get the second term and all those things. They talk about the mandate all the time. These collective bargaining agreements, rights: these agreements were entered into from mandates from Albertans. Albertans gave those unions a mandate to negotiate their rights. If they want their mandate to be protected, respected, I think it's only fair that the same courtesy should be afforded to other democratic mandates, but that's not what we're seeing here.

They want to talk about their mandate, but nowhere during the election campaign, nowhere in any UCP document can they show me that they told Albertans: give us a mandate so we can walk roughshod on your rights, we can walk roughshod on your collective bargaining rights, we can walk roughshod on your overtime, we can walk roughshod on your minimum wage. Whatever we are seeing here, it's a pattern of austerity, and the only people who stand to lose are everyday working Albertans. When you look at their other pieces of legislation: same thing. There's a pattern. The working, everyday Albertans: they are the ones getting hit.

[Mr. Loewen in the chair]

In their preamble to the legislation they said, "significant changes have occurred in Alberta's economy since the 2018-2019 Third Quarter Fiscal Update and Economic Statement." I think that from '17-18 Alberta's economy has a positive growth. The only significant change that happened in Alberta's economy was a \$4.5 billion tax break to the most wealthy in this province. At that time, they didn't think about deferring that break, deferring that gift for a little bit until they hear from that so-called panel, the blue-ribbon panel, who can tell them about the state of the economy and the state of finances. They didn't wait for a second. They brought forward that piece of legislation so they can give that break to their donors and supporters.

Here they are saying that the economy has changed significantly. That was the only significant change that we can point to, and that's the reason that now they have to attack Albertan workers' rights, they have to attack their constitutionally protected bargaining rights. Had they not handed out that gift in such a hurry, I think they could have waited. They could have bargained with these unions, with these workers.

[The Speaker in the chair]

They're trying to say that as if they are getting 50 per cent of Alberta's budget and they're not doing anything. Wherever we go, I think, in schools, in hospitals, in colleges, everywhere, these are the workers who are providing essential services that Albertans depend on, rely on each and every day. These are important services that Albertans need and rely on. Now we are attacking all those Albertans. We are attacking their rights, and instead, I guess, of talking about who it will impact, we will just hear from the other side: oh, it's unions; they're spending this much money. But it's not. It's Alberta workers, and this bill is attacking their rights, their freedoms, their constitutionally accepted rights in Canadian jurisprudence.

The Minister of Finance got up here and said that Albertans want us to respect their hard-earned dollars. I'm sure Albertans want them to respect their constitutionally protected rights, too. Same principles should apply. Ask any Albertan. They want you to respect their hard-earned dollars. At the same time, they want you to respect their constitutionally protected rights. They never said anywhere: no; just protect our hard-earned dollars and walk roughshod on our rights.

Mr. Speaker, I think we are seeing a pattern here that is based in ideology, and many members on that side have followed that pattern, have done the things that go against collective bargaining rights, right of association. I can point to some pieces of legislation that were before this House and the previous Conservative government. In particular, I guess, the Member for Calgary-Hays will remember that because he voted in favour of all those pieces of legislation.

There were bills 45 and 46, that were passed in 2013. Bill 45 was the Public Sector Services Continuation Act, and that was intended to take away their rights to protest, to enter into strikes, essentially limiting their rights that were fundamental and also protected under the Charter. It was not about that piece of legislation. It was not about wages or unions. It was essentially about undermining the workers' rights, exactly the same thing we are seeing here. We are seeing the workers' rights, 180,000 Albertans' rights, undermined through this piece of legislation.

Bill 46, Public Service Salary Restraint Act, was also an attack on workers, and the Minister of Transportation and Member for Calgary-Hays voted to pass those pieces of legislation.

Then Bill 24 was introduced by the Prentice government in 2015. That was the Public Sector Services Continuation Repeal Act. Again, the Member for Calgary-Hays voted in favour of that, sponsored and voted for passage of that bill. It's the same ideological agenda that continues through this piece of legislation. It's an attack on Albertans' rights. No matter what you say, these are the services that Albertans relied on. I think that during the campaign they were told that their services will not be affected, but this bill is attacking the very people who offer those services.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. I see the hon. Member for Edmonton-South has risen to make a brief question or comment.

**Mr. Dang:** Thank you, Mr. Speaker. It is always my pleasure to hear from my hon. colleague from Calgary-McCall. It is always a pleasure to hear his insights. I do wish to make a few brief comments because I think what he said is very important and is very pertinent to the debate we are having here today.

I would like to comment on what the government is doing in regard to attacking these workers' rights and absolutely attacking Albertans and their rights. I think that it is important to note how deeply the government is attacking the process by which we do this as well. The government has gone through and, in an unprecedented action, Mr. Speaker, under the cover of darkness, decided to move the previous question. What that has done is that it has effectively limited debate on this so that while they go and, as the member had said, attack workers and go after the very people who serve this province, we also are no longer able to effectively debate that right here in this Assembly and to hear insights like my hon. colleague's. That is something that Albertans should be deeply concerned with.

Then just today, Mr. Speaker, we saw the government introduce a motion for closure tomorrow. In fact, they only want one more hour of debate at this stage of this bill. That should also be extremely concerning because that is not the sign of a government

which is acting in good faith. It is not the sign of a government which is negotiating in good faith because when you negotiate, Mr. Speaker, you don't then slam the door right as the other team is about to open their mouth. That is not how you negotiate in good faith, that is not how you work for the benefit of all Albertans, and that is not how you show that you are indeed trying to have the best outcome for all Albertans.

**10:30**

I think this is something that every single member of this Assembly should be very concerned about. I'm pleased to have heard from so many of my colleagues here in the opposition. I hope that some members of the government caucus will also speak to why they think it's okay to shut down the very debate that this Assembly was built for, why members of the government and government private members think it is okay that they can trample over workers' rights and not even give this Assembly the chance to discuss it. That's something that I think is very important, Mr. Speaker. I think all members will agree with me that we were sent here to debate. We were sent here as MLAs. Our jobs, indeed, are to ensure that we debate legislation and vote on legislation.

What the government has done is that they have tried to make that as limited as possible. Indeed, they have tried to make it impossible for legislators in this Assembly to do their jobs. Mr. Speaker, I think that is something that is very shameful. It is something that members of the government front bench should be concerned about because their bills will not get the proper vetting of this Assembly, and it's something that members of the government backbench should be concerned about because they will not be able to have a say in the very legislation that comes through this Assembly. That's something that's very concerning.

When you move to shut down debate in this unprecedented manner under the cover of darkness, Mr. Speaker, it shows bad faith, just like the government is showing at the bargaining table. They've gone out and slapped workers in the face by introducing legislation that destroys the ability of the unions to have good-faith negotiations, and then they come to this Assembly and slap legislators in the face by preventing us from doing our jobs here in the Assembly. That is something that should be offensive and is offensive to all Albertans. I am deeply concerned with what the government's goal is here. If the government indeed is trying to act in good faith, they should get up and defend that. They should get up and explain to Albertans why they think their legislators, their elected officials, the over 10,000 people who voted for me in my riding shouldn't get a say in this Assembly. If we're measuring mandates, I actually have more votes than most members in this Assembly due to the population in my riding. Indeed, when we're measuring mandates, it really is important to consider that every single MLA in this Assembly has a voice. What this government is doing is trying to shut down that voice and shut down that voice while also shutting down negotiations with the workers that serve this province.

That is something that the government needs to stand up and defend themselves for. The government needs to stand up and explain to Albertans why it's okay that because they won this many seats, Mr. Speaker, they don't need to negotiate. They don't think workers are worth their time to negotiate, and they think that workers don't deserve to negotiate. That's something that all Albertans should be concerned about.

Thank you.

**The Speaker:** Hon. members, anyone else wishing to join in the debate this evening? The hon. Member for Edmonton-Rutherford.

**Mr. Feehan:** Thank you very much, Mr. Speaker. I'm very happy to join the debate to oppose this oppressive bill to deny workers their rights that have been long fought for not only in this country but in many westernized democracies for the last few hundred years. Here we are now having to stand up yet again. As they say, the right to freedom requires eternal vigilance. I think we find ourselves in that place once more.

I want to begin by speaking a little bit about the fact that these labour rights aren't simply the rights of a few individuals to, you know, do what they want. They're in fact embedded in the very concept of human rights. What we are defending here this evening is not simply the choice of some people around their particular work site to get some whim exercised but, rather, to in fact protect the fundamental reasons why western democracies are the best places to live in the world; that is, that we have a belief in the rule of law and that we base that rule of law on the concept of human rights. The fact, the idea that labour rights are human rights has been reinforced in our own Constitution and has been reinforced by the Supreme Court of Canada. So let me just take a moment to speak to that.

They say that the right to freedom of association, which includes the right of workers to join unions and bargain collectively, is a fundamental, universal human right and the cornerstone of democracy. It's not simply an issue of workplace conditions. It is, in fact, the fundamental cornerstone of what makes democracies work. Unionization and democracy both come from the same roots of protecting individuals, people who are citizens, with average amounts of power in society from the oppressions that come from tyranny, that come from the dictators and oligarchs and jackbooted thugs who've been trying to prevent people from expressing their human rights for centuries.

On June 8, 2007, the Supreme Court of Canada ruled that the guarantee of freedom of association in section 2(d) of the Charter of Rights protects the rights of Canadian workers to form a union and bargain collectively. It's not a point of debate. It's not something that we question. It's been brought forward already by legislators across this country and has gone to the highest court in the land, and the highest court in the land has said exactly what we are trying to defend here, that you have a right to join a union and that you have a right within that union to collective bargaining.

As I'd mentioned prior in this House, there is another, subsequent doctrine of constitutional law that once a right has been defined, you can't pretend to recognize that right but then undermine it. The doctrine of hollow rights is that once the right is protected, you must in fact take a liberal or broader, expansive approach to how that right is expressed. You can't then say: well, we'll recognize the right, but we'll take away all the ways in which that right can be expressed without actually saying that we're taking away the right itself. There's no back door here. You can't come in and artificially cut down the workers at their ankles by using this surreptitious and nasty technique of undermining the right that they have worked on in this country for over a hundred years. The doctrine of hollow rights indicates that you must listen to them, you must collectively bargain with them, and you must honour the results of that collective bargaining. Not doing those things is, in fact, a defiance of Canadian democracy, that which we have fought for for over a hundred years in this country.

In fact, it's very interesting that this government is attempting to attack unions a hundred years after the Winnipeg General Strike, which occurred almost exactly a hundred years ago now, in May 1919, in which at first over 30,000 private-sector workers left their jobs on the same day to demand the right to collective organization and to talk about the big union, as they called it, and to make sure that the benefits of this great country called Canada are shared not

just with a few folks in the corporate world, as they were in those days, but are shared broadly for workers.

It's fascinating what happened then. It was a Conservative government at the time that came in to suppress those union rights. In fact, the minister of the interior and the Acting Minister of Justice at the time, Arthur Meighen, who subsequently became Prime Minister of Canada, was sent to Winnipeg to suppress worker rights, a fine Conservative tradition there, I'll say. A hundred years later you're still at it. You clearly haven't learned anything from the history of bargaining rights in Canada.

What they did do when they arrived in Winnipeg was that they started to attack the workers by actually changing the laws. They changed the laws, saying that they would fire all of the federal workers who joined the private-sector workers on the general strike if they didn't go back to work. And then they changed the laws to allow them to attack even British-born immigrants so they could be deported if they participated in this. They actually went in to create laws in order to undermine collective bargaining. That's the kind of jackbooted activity that led to the Winnipeg General Strike.

**10:40**

In fact, one of the leaders of that Winnipeg General Strike, an incredibly important figure in Canadian history, J.S. Woodsworth, was arrested along with many other people. Subsequently, while many others spent six months or a year or two in jail, he was released. But I can tell you what happened. He then went on to form the party which we now represent here in this House. I can tell you what happens with this Conservative tradition of denying people basic human rights and acting to change laws in order to undermine those rights: you create the opposition. So I guess I can thank the Conservatives for helping to create the NDP in this province and in this country. Unfortunately, they do so only by being oppressive and denying the people the right to the fruits of their labour.

I think there's another interesting aspect to the history of the nature of collective rights that's essentially of the same impulse as the desire for democracy: the desire to take power away from a few people who have the power to write laws, who have the power to bring in the police, the military, and other people to enforce those laws and to spread that power into the populace and to give that power to people through the vote to elect and to remove or, in the case of collective bargaining, to allow people who contribute their labour to the benefits of a business or a government or a society to benefit from the goods that come out of that labour. It's rooted both democracy and collective bargaining in the learning that we've had in western democracy since the time of the Enlightenment. What we have now is a government that is trying to go back to pre-Enlightenment thinking in terms of their relationships with the people in society. It's completely appalling.

Let's talk about why. Through the Enlightenment, through the last few hundred years, the last hundred years in Canada since the Winnipeg General Strike, we have felt that in the modern world it is important and necessary to protect human rights because underlying the notion of collective rights and the freedom of association is the right to the integrity of the body. That is, when you put in your labour and you exercise your body in order to derive some benefit, you have the right to the benefits that come from that labour, and if you begin to pierce collective rights and collective bargaining, you begin to pierce the right to the integrity of the body.

Now, this is very well articulated by a great American writer by the name of Ta-Nehisi Coates, who indicates that the history of black men in the United States is the history of suppression of the black body. What he's talking about is that the great benefits that America has derived over the many years have been on the backs of the labour of black men and women, that every cotton field



benefited financially from people who were in slavery, whose body was taken, and the right to control that body was subverted by people who had power, using the law as a way of subverting that right to the integrity of the body. So if you remember that that's what we're talking about here, the fact that we have learned through hundreds of years that we need to create a society in which people have control of themselves and the fruits of the labour that comes from themselves, or else we end up in a society where some are enslaved for the benefits of others.

It seems ridiculous to us now, in 2019, to be talking about slavery, but I want us to remember the roots of the work that has gone into collective bargaining and what it's all about because at one time it did matter. At one time it was about slavery. It was about taking people's rights to control their own bodies in order to be able to fulfill their own needs and subverting that for the needs of other people to exercise power over. That's what we're challenging here today. We're reminding you that this came from somewhere. These rules didn't just appear out of magic one day. These rules came because we had to learn lessons over hundreds of years, since the Enlightenment, about how to create a society in which everyone, regardless of their skin, their religion, or their choice to associate with others – if we do not protect those things, we are on the road to perdition; we are on the road to denying people the very rights which will allow all of us to live the best life that we possibly can.

This movement that the conservatives around the world seem to be celebrating right now, of reducing the rights of the many and the wealth and the power of the many in order to give those to a smaller and smaller and smaller group of people so that the inequality is getting farther and farther from the top 1 per cent to the rest of us, is a dangerous trend and one that leads to the kind of suppression that we saw a hundred years ago in Europe and around the world, where people were attacked for simply wanting to join with their brothers and sisters in the protection of their bodies, of their labour, and their work for the benefit of all mankind.

Underlying what we're talking about today is the fact that we have thousands of public-sector workers who are out there every day committing themselves, their bodies, and their labour to the benefit not only of themselves but of the wider society. Because we have created these structures in society which allow us to share the benefits of society, we indeed have probably one of the best societies the world has ever known here in the province of Alberta and in the country of Canada. That's on the backs of those people who have contributed to the collective good. That's the benefit of recognizing that people need to be respected and that the laws that protect their collective rights need to be respected as well.

Thank you.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available, and I see that the hon. Member for Edmonton-South West has risen.

**Mr. Madu:** Thank you, Mr. Speaker. Ordinarily I would not rise to respond to the types of comments that I have heard from the Member for Edmonton-Rutherford, but we are here to debate about the Public Sector Wage Arbitration Deferral Act. That particular act: the intent is clear on the title of this particular bill. What I have heard from the Member for Edmonton-Rutherford is to compare this bill to slavery. To say that that is outrageous and ridiculous is an understatement. And coming from . . .

**An Hon. Member:** It's disgusting.

10:50

**Mr. Madu:** It really is actually disgusting, Mr. Speaker. It is shameful, and I would ask the Member for Edmonton-Rutherford

and the members opposite to render their apology for this shameful analogy.

Mr. Speaker, one should never minimize the impact of slavery on the coloured people in the United States. We are talking about a political party that formed government, that nominated the highest number of immigrants in the last election. I can talk about my friend from Edmonton-North West, Ali Eltayeb. I can talk about my friend from Edmonton-South, Tunde Obasan, or myself and a host of other of our colleagues from different ethnic minorities in this province. If any political party in this dispensation is to lay the claim to have nurtured a welcoming environment for minorities to seek upward mobility and opportunity in this province, I think that I am confident, I am proud to say that it really is the United Conservative Party.

You know, I have heard several times in this House that members opposite like to talk about human rights and the rights of minorities. But, Mr. Speaker, I'm here tonight to tell you that from my own vantage point as someone who has lived the Alberta dream – and the reason why I am proud to say that I am Conservative and principled, for that matter, is precisely because of the rhetoric that I hear from the members opposite. The people the members opposite are referring to came to this country in pursuit of opportunity, an environment that will provide that opportunity that minorities are looking for to live, work, and raise their children, not to be used as a political football by a party that nearly destroyed our economy when they were in government. So it is outrageous for the Member for Edmonton-Rutherford to make these allegations tonight in this House.

The time has come for the members opposite to recognize that it is precisely these identity and divisive politics that led the vast majority of the people of this province to reject their politics of fearmongering. I do not, for one, being someone of a minority ethnic group who is a proud Conservative – it was insulting for me to sit here and hear the member talk about a lived experience he knows nothing about. Mr. Speaker, the vast majority of the people of this province, including people like myself, came here in pursuit of opportunity. That is what our party and the UCP government has offered them.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, is there anyone else wishing to join the debate? I see that the hon. Member for Edmonton-Meadows has risen.

**Mr. Deol:** Thank you, Mr. Speaker. I'm rising to speak against the bill. I'm proud and, to be sure, honoured to speak against this bill, Bill 9, Public Sector Wage Arbitration Deferral Act, that was put forward by the government. The reason I'm so proud to speak against the bill is that there's no way this bill will do any good for Albertans or Alberta workers or the people of Alberta at large.

This bill is a gross abuse of power and an attack on front-line workers. This is authoritarian and unethical behaviour, I will say, taking away workers' fair chance to discuss their wage rights. I'm still trying to understand, you know, what made this government conclude to put this Bill 9 forward. Was there something they tried to attempt to resolve, a problem with the stakeholders? Did they try to consult with them? Were they unsuccessful? Were there some challenges to this? Lack of consultation, lack of facts shows the clear motive, the political motives behind this bill, the ideological motive behind the bill. The government really wanted to send a signal as to what average Albertans can expect from this government going forward.

Mr. Speaker, this bill is going to affect approximately 180,000 Albertans. Who these 180,000 Albertans are and what they do: they

are front-line nurses, social workers, teachers, librarians, food inspectors, child mental health therapists, long-term care workers, correctional officers, sheriffs, and more, the kind of work that's so essential not only to serve society, serve Albertans, but also to make this place better.

It's not only these 180,000 workers that will be affected by this bill if it is passed but also their families, their children. They are in the hundreds of thousands. Maybe one-fourth of Albertans will be badly affected if this bill is passed. I'm very sure, you know, that they will not just sit back, and they will not just accept it, the government's attempt during the dark midnight. Then those people like nurses, when we are just discussing the bill that is attempting to take their right to the fair chance to discuss their wage, might be right now serving in a hospital so that our loved ones can have the care they need.

Not only that, but the other reason I'm feeling so proud to speak against this bill is that this bill is, I will say – I'm just trying to find the word – a unilateral, one-sided act and fails to consider the participation of the people that are going to be most affected, when those people have reflected very responsible behaviour in the past. Those are the people that spent the important years of their lives studying in colleges and universities and afforded costly education. And this government is not willing to do anything about tuition or to make education more affordable.

11:00

Those individuals not only worked hard to make their career but also chose a career that they can build their life on while serving the people of this province, where they can contribute to making this place better for all. I say that these people deserve much more respect than this bill is showing. Especially when our province was going through the deep recession due to the price differential, those were the people that showed leadership. They showed responsibility. They took zero. This government even, you know, failed to bring them to the table.

This act and the government's rush to pass this bill are showing that the government has something to pursue, maybe their hidden agenda. This was not even something in their election platform that they worried about, that they are very stubborn, I will say, about. It's very hard to understand why this government is so stubborn to pass this bill.

The government did not show any action to engage those people or that they had provided the opportunity to those responsible stakeholders, unions, associations, and they were not successful. So given the facts that we have in front of us, it strictly seems like their ideological move. They don't really believe in unions. They don't really believe in their right to fair wage negotiations.

Given that the government has just, you know, started their work six weeks ago, has not even completed two months, looking into the series of acts we have been going through, these seem, once again, not justifiable acts at all. That's why I'm proud to speak against this bill. In speaking against this bill, I surely feel this is my duty. This is the duty that my constituents have given me, and when I walk home tomorrow morning, I will not be ashamed. When this government was discussing something to take away the rights of everyday Albertans, I had my duty, and I did not sit back and listen. I had the courage to stand. I'll go back and I will explain to my constituents that I will stand on behalf of them.

[Mr. Milliken in the chair]

Mr. Speaker, during the campaign I was door-knocking, and I know many of the members on both sides of the House had opportunities to door-knock and listen to thousands of people in their riding. I can still not even look into the eyes of the mother I

met at the doorstep who lost her son, you know, due to lack of service. He was suffering from mental illness, 18 years old, a young fellow. She could not even explain the pain she was going through. She couldn't even speak about it. She couldn't even finish what the problem was.

I'm still even thinking about how I'm going to get back to that person, how I'm going to find help for this person, how I'm going to talk to her about how we in this House are collectively, you know, discussing and are concerned about her concern and the pain she's going through, how we will collectively make sure that we will not let this happen to anyone else. We cannot return her loss, but we can make sure that this doesn't happen to anyone else. But in this House I'm seeing something very different happening, attacks on those people, the people providing services like for mental health, the services provided in our hospitals. That is the other reason I feel very proud to stand up and speak against this bill.

Mr. Speaker, I would say that this is the biggest betrayal of workers' rights. These are their hard-fought rights. They did not just get them granted. There's a history of labour movements. There's a history behind the struggles of, you know, the people's achievements with respect to their rights of bargaining, their rights to make unions, their rights to participate in unions, their rights to become members of unions. That history does not even come from somewhere else. That very history belongs to this land. People did not just even struggle for centuries; people gave their lives to legislate for eight hours a day, to legislate for overtime, to legislate for holidays, sick leaves.

In this bill I'm seeing a reversal of those rights. It's an insult even to our martyrs, our seniors, our forefathers who fought very hard not only for their own rights or of their fellow citizens . . .

**The Acting Speaker:** Hon. members, 29(2)(a) is available. I believe that the individual who caught my eye is the hon. Member for Calgary-Buffalo.

**Member Ceci:** All right. Thank you, Mr. Speaker. I was very interested in the perspective of the Member for Edmonton-Meadows. You know, it's coming right after the Minister of Municipal Affairs' perspective that he shared with us. Perhaps in a berating way of this side, he shared his views and, I think, missed the point that the Member for Edmonton-Rutherford was making to this House.

11:10

I'm really interested, hon. Member for Edmonton-Meadows, in your perspective about how you wound up on this side, a different side than that member, who claims that perhaps all new Canadians, immigrants to this land, should end up on that side by right. That's not where you are. I'm really interested in your journey to these benches, to this opposition, and to this time if you can explain.

**The Acting Speaker:** The hon. member.

**Mr. Deol:** Thank you, Mr. Speaker. You know, fighting for average people's rights is something I feel very lucky and proud that I got from the environment that I was lucky to have at home. When I'm talking about the fundamental rights of workers and respecting those rights, so helping or contributing to make this society better, not for the few or some but for all, I have witnessed even in my childhood how hard it was for people, my grandfather, my ancestors. They worked tirelessly. There was a time that a day was not legislated as eight hours, not only that but also for fundamental rights. This was a society, I will say, where women were not able to vote.

You know, my friends right now are trying to – I don't want to go out of context. I'm hearing them say terms like "trickle-down

effects.” You’ve got to look at the trickle-up effects. I was happy to see those kinds of struggles, workings, in the kind of environment I was able to grow up in. That was back in the ’70s, when it was surely a social stigma that people were not ready to send their children, the females, to schools. They were not comfortable sending them to school. It was not for them, the right to education. It was not their right to participate in social clubs or local councils.

That was a time in the early ’70s when my mom was so young, in her 20s. She was a person who was able to be elected as a member of the local council, and I think the credit goes to not only my mom but my parents and my family at large. Not only this, but my grandfather and numerous people from my village where I grew up, the party spirit and, you know, the struggle against colonial rule, knew that . . .

**The Acting Speaker:** Are there other members wishing to debate? I see the hon. Member for Edmonton-Manning.

**Ms Sweet:** Thank you, Mr. Speaker. I stand to speak against Bill 9, the bill that will take away the rights of Albertans and of working people in this province. As many of the members are aware, in 2013 I represented the human services members of AUPE who worked in PDD, persons with developmental disabilities; the office of the public guardian; AISH, assured income for the severely handicapped; and Children’s Services. In this position I participated as a member of the bargaining team and have had the experience of going through arbitration.

Let’s spend a few minutes talking about the bargaining process. During former Premier Peter Lougheed’s leadership he deprived public employees of the right to strike in the event of an impasse in bargaining. However, in return they got access to compulsory arbitration processes; in other words, an arbiter who looks at the facts, the laws, and private-sector comparisons and who then has the right to impose a settlement on both parties. This process was a compromise that was established due to a respectful relationship between the government and the essential services employees. However, things have changed, Mr. Speaker.

In recent years the past government, under the leadership of Premier Redford, engaged in a process to dictate the salaries of all employees by introducing Bill 46, the Public Service Salary Restraint Act, that would impose a two-year salary freeze and negotiate the collective bargaining process and, of course, remove binding arbitration.

In addition to that legislation, a second piece was introduced, which was Bill 45, the Public Sector Services Continuation Act, 2012. This act significantly increased the penalties for illegal strikes by workers who are deemed to provide essential services. This bill was introduced as a response to the wildcat strike by correctional officers that began at the Edmonton Remand Centre earlier in the year. The government proposed to introduce harsh fines of up to \$100,000 per day on unions in the case of an illegal strike or even the threat of an illegal strike. But neither of these bills ever received royal assent. Now, the reason for this is the fact that there was a significant response from the labour movement in regard to these bills, in fact such a response that all members of the opposition, no matter the party affiliation, came together to oppose the PC government.

Now, the Minister of Environment and Parks just stood in this House and spoke about how he believes that the Official Opposition is upset about the merging of the PC and the Wildrose caucuses. Well, in fact, Mr. Speaker, I’m actually a little bit curious about how that’s all working out with this new government in relation to this bill. The reason I say this is that I believe that there must be

some dispute in the caucus about how to deal with this bill and, in fact, knowledge of the trouble that is coming.

Mr. Speaker, let me quote some of the members of the current government caucus on how they felt about the impact of the legislation of arbitration. The current hon. Member for Cypress-Medicine Hat said:

Thank you, Mr. Speaker. I would like to ask the hon. member if he’s not at all concerned about how arbitration rights seem to be the balance that’s been set in many, many jurisdictions for the public union’s legal inability to strike and if he’s not very, very concerned about how that removes individual freedoms.

I want to remind the individual member that in the last election tens of thousands of people in southern Alberta were very, very concerned with your government’s quick and easy decision to legislate away property rights, the same way you’re trying to do a quick legislation . . . here of individuals’ rights to have arbitration when they’re providing valuable – valuable – public services. I remember hundreds and hundreds of signs that had the arrow through the PC: don’t vote PC.

. . . Hon. member, are you concerned about taking away individuals’ rights to arbitration under Bill 46?

If anybody wants to follow along, that’s in *Hansard*, December 2, 2013.

In addition to that, here’s another quote:

Thank you, Mr. Speaker. I’m just wondering if the hon. Member for Calgary-Buffalo feels that the Premier and this government’s broken promises since the election date may have [been impacting] the crafting of Bills 45 and 46.

I’m also wondering – I know that in the Wildrose our position was recall in the last election, and I understand that in B.C. when the Campbell Liberal government kind of hid the truth from the people that they really wanted an HST, PST combined, [they started] the recall process of 21 MLAs for the Liberal party on Vancouver Island [which] made a huge change in [their] government policy. I wonder if the member would care to comment on if recall might be an option for this province down the road.

That’s from December 4, 2013.

Now, I have one more that I think is also interesting. I quote from a March 23, 2015, press release: we are interested in building a new spirit of co-operation with our public-sector unions; repealing Bill 45 is a clear indication that we want to work with our public-sector workers to develop legislation that ensures fairness for all employers, employees, and Albertans as a whole. That was by the then minister of jobs, skills, training, and labour. Did anyone guess who that was? A PC member, now the Minister of Transportation.

**11:20**

So I find it very, very interesting that we have two very, very clear indications from members in the current government that were part of the Wildrose and part of the PC caucuses that have now come together and who have been clear in their press releases and their comments in this House that they do not support this type of action with working people. What’s changed? Well, it would appear that one member learned after an election how working people in this province have a real issue when government impedes their rights while the other member realized he was going into an election and that Albertans didn’t like their rights to be impeded.

It is possible to learn from your mistakes, so I would encourage the members to look throughout their caucus and to discuss with each other the things that they have learned through the history of their parties, the PC caucus and the Wildrose caucus, and the different visions that they had when it came to arbitration, when it came to impeding workers’ rights, when it came to the rallies that happened in 2013 and 2014, and maybe think about the danger and the road that you are slowly going down. There are members of

your caucus that very clearly remember what happened, that clearly understood it was in their best interest, at the time of going into the election of 2015, that repealing any type of labour legislation that may upset the labour movement was a good idea.

I recognize that we are now at the beginning of a mandate of four years for this current government, so maybe the learning is: if we do it early enough, people will forget. But I would caution all of you in this House, all of the members, that the labour movement never forgets and that the labour movement understands and that working people in this province remember when you start taking away their rights. Albertans remember when you take away their rights, and if they didn't remember, then we wouldn't have seen the actions that we have seen by some of the members of your current caucus, when they were in government in 2013, 2014, and the beginning of 2015, to have to repeal legislation to make sure that when they went into the 2015 election, they didn't have to worry about losing their seats.

So what I will say in this House is that we will continue to fight. We will continue to fight for workers' rights. We will continue to fight for what is very clearly a breach of Albertans' Charter rights. We will very clearly remind workers repeatedly throughout the next four years about what it is that you are doing to working people in this province. You don't respect working people. If you did, you would actually be going through the arbitration process. You would be having a discussion.

The reality of this is – and we have seen it in other jurisdictions; we've seen it in B.C.; we've seen it in Saskatchewan – that when governments try to impede the legal process of arbitration, when they try to impede the Charter rights of Albertans, of people living in B.C., of Canadians, the governments ultimately lose. They lose every time, because a government does not have the overall authority to say that they have urgency within their policies that impedes the Charter rights of Albertans or of any Canadian. They lost with the teachers. They lost with the health care workers. They were substantially fined, which ended up costing more for the government in the end than it would have if they had just gone through the arbitration process.

The reality of it is that there are 180,000 workers that are impacted. There are nurses; there are social workers; there are teachers; there are youth workers; there are child mental health therapists; there are long-term care workers; there are correctional officers; there are sheriffs; there are many, many, many other workers that are under these arbitration agreements that will remember when you decided to take away their abilities to negotiate.

I guess the question that I have and the thoughts that continuously go through my mind around this are: how did you not learn from 2013 and 2014, when thousands and thousands of people were standing in minus 30 weather, minus 40 weather at Churchill Square...

**An Hon. Member:** It was cold.

**Ms Sweet:** It was cold. I remember. I couldn't feel my feet.

... protesting these bills. Then they came to the Legislature, and they rallied here. Then they came to committees, and committees had to be moved into bigger rooms, and more rooms had to be added because there were so many people waiting to speak against the bill. Ultimately, the bills died and were never proclaimed and were repealed.

You're heading down a very, very dangerous road. I mean, you're the government – you have a majority – so you can choose to do it, but for the new members in the House, I would do your research on the history of the labour movement in this province. I would do your research on the regressive legislative bills that have

been passed, even in the last eight years, in this province and how successful that was for governments.

Let's be clear. Part of the reason we were here in 2015 as government was because of what the Redford government did to the labour movement. I mean, it helped; there was no question. We became government because the Conservative bullying tactics and the disrespect for working people in this province helped them recognize that the NDP actually fights for working people, helped them recognize the fact that many of us come from working backgrounds. We were teachers and nurses and social workers and educators, lawyers, different things like that, and we came from the trenches. We were in the trenches with the working people of Alberta.

I just feel like it's something that you should all think about, all consider. Definitely, you want to look at the fact that, you know, when you did the Public Sector Services Continuation Repeal Act – that was the Minister of Transportation – it was repealed because a Supreme Court decision said that it was illegal. The Public Sector Services Continuation Act was intended to deter legal strikes, but again it wasn't legal.

What you're doing isn't legal. Like, let's just be clear. You're going to end up in court. You're going to end up spending a lot of taxpayer money, a lot of taxpayer dollars, that you continuously say that you're defending, to go to court and do court challenges on something where, if you were just being honest and you just wanted to work collaboratively with the public sector and actually have a conversation and go through the process, it probably wouldn't even cost you as much.

I guess the point is that this government has been very clear that \$4.5 billion for corporate taxes is okay and that doing constitutional court challenges on everything and anything just for the sake of doing constitutional challenges on anything and everything and not respecting jurisdictions, federalism, a variety of different things, seems to be the most effective way to use taxpayer dollars. Instead of investing in Albertans, you're just going to pay rich lawyers to go to court and to fight, when in reality you could just sit down at a table and have a conversation and actually negotiate and work collaboratively with your public-sector employees and maybe even be able to come up with a deal that makes sense.

When we were government, we could do it. I mean, we were honest with the public sector and said: "We can't give you any salary increases. Like, we just can't. There's no money." So they took zeros. I think that's pretty fair. I mean, no cost-of-living increase, and zero, zero, zero, some for four years, some for three. Some had taken them for much longer than that because they had zeros prior to the renegotiation of their last contract. Really, if you look at it, they've been ...

**The Acting Speaker:** Hon. members, under 29(2)(a), I saw the hon. Government House Leader standing.

**Mr. Jason Nixon:** Well, thank you, Mr. Speaker. It's a pleasure to rise under 29(2)(a) yet again this evening. I appreciate the hon. member's comments and her taking the time to participate in this debate. You know, it's something that's significantly different than what we saw last night from the opposition caucus, who spent most of the evening trying to adjourn debate. While I do disagree with the hon. member on many of her comments, I do appreciate that she's taken the opportunity to be able to debate this legislation in this House tonight.

**11:30**

One thing I just wanted to talk about briefly, though, in her comments was the comments about respecting working people. I

find it troubling that it seems to me, Mr. Speaker, that over and over the opposition doesn't recognize that working people were dramatically impacted by recent decisions made by the NDP when they were in government. A party that ultimately ended up becoming, again, the only political party in this province to ever have a one-term government ended up taking us on track for almost \$100 billion in debt, oversaw the largest job losses in the history of this province. At the same time that those very working people were struggling to make ends meet and the people that created jobs for them, the employers in our province, were struggling to be able to keep people employed in our province, that member was part of a government that then brought in the largest tax increase in the history of this province, called the carbon tax, a tax that they knew and have admitted many times on the record was all economic pain and no environmental gain. I could tell you, Mr. Speaker, on behalf of my constituents, all of whom are working people, that they found that to be unfortunate and troubling for them and it caused them significant damage.

The second point I wanted to discuss. She referred to my comments specifically discussing the fact that the Wildrose Party and the PC Party – ultimately we would go on to become the United Conservative Party, and we were very proud of that. Mr. Speaker, I am still very proud of that fact. It has been a great journey over the last few years under the leadership of the hon. Premier and many other people, more than I could even name in any 29(2)(a), who have worked hard to take this movement together. Let me tell you: we are more united than we ever were.

Quite frankly, I'm happy to report to you that having been there from basically the very beginning of the United Conservative Party, in the room with my friend the hon. Member for Calgary-Hays when the documents were made that would make this party, both of us can say, Mr. Speaker, that I never thought it would work this well. I'm pretty excited about that and what happened on April 16 and the fact that Albertans agreed with us by giving us the largest vote total in the history of this province and a clear mandate to come back here and form government.

I think the hon. member missed my point altogether. I would rather just give an opportunity to make sure that that is clear with this 29(2)(a), if I could, Mr. Speaker, and that was about the humility that her opposition, now that they're not in government, should start to express. My advice to them – and I was being sincere in that advice because I respect the role of the opposition in this Chamber. I was proud to be a member of the Official Opposition in this Chamber and to do the important work that we had to do. Our constitutional responsibility was to hold the then government of the day to account. They have a responsibility to do that, too, and I respect that.

But they should also examine their own behaviour that led them to that side of the House. Examine it. Take time to process what took place, Mr. Speaker. The reality in this province is that Albertans don't reject governments very often. They have never in the history of this province until April 16, 2019, kicked out a party with only one term. Ever. The NDP have that: the first time ever, the first political party in over a hundred years of parliamentary democracy in this province, they were ejected from government after one term.

I suspect that's why they're so angry. They spend most of their time focusing on anger. You know what, Mr. Speaker? The NDP in the time that I've served in public life with them have always been about fear and smear. They've always been about fear and smear and smearing their opponents and doing that. What is new this time – I've sat in this Chamber for over four years with the NDP, and I've never seen them this angry. I'm pretty used to the fear and

smear, but the anger that is coming from the NDP since this election is quite shocking.

You know, my dad was here today, Mr. Speaker.

**The Acting Speaker:** To continue debate, I see the hon. Member for Edmonton-Mill Woods standing.

**Ms Gray:** Why, thank you very much, Mr. Speaker. I'll just comment very briefly that I think that this government is using a lot of important words that they don't understand. I just heard the member opposite use the word "respect" repeatedly, and I'm not sure that he understands what respect looks like. In fact, that segues very nicely into what this government is doing: breaking the law, abusing their power, attacking front-line workers, and legislating a delay in wage talks and not just a delay but giving themselves the opportunity to write regulations into the future that will potentially roll back wages, freeze wages, make other changes, regulation-making power as they should so choose to use.

So, Mr. Speaker, I'm very proud to stand up to speak against this bad-faith bargaining bill. Speaking of bad-faith bargaining, that's another term that I'm not sure that the government understands. The Finance minister has stood up numerous times and used the term "good faith." Respect, good faith, democracy: there are a lot of words that are being thrown about without the action behind them. Showing respect for public-sector workers, showing respect for the people who care for seniors in this province, showing respect for the people who clean the government offices, showing respect for the people who prepare the requests that the ministers make day in and day out does not look like legislating an end to contracts.

We know that this attack on front-line workers is not constitutional and will not stand up in a court challenge. We know this, Mr. Speaker, because we've seen that these types of policies taken by governments in other jurisdictions and, as my colleague from Edmonton-Manning was talking about, attempted in many different ways here do not stand up to court challenge processes. Now, one of the bars our government set for ourselves was to stay within constitutional law: let's not introduce legislation that we know will be struck down. It seems like a reasonable bar to expect your government to operate to, but it was a little too high for this government.

We know that the public-sector workers that are going to be impacted by this legislation now with the delay in which legally mandated, contractually mandated wage reopeners, arbitrations as well as the public-sector workers who will be affected in the future by the regulations that roll back their wages because this government does not want to come back into this Chamber and have to redebate this fight again, so they made sure that their bill, Bill 9, included section 5(c). Allowing them to write regulations into the future is the old, Conservative tactic of disrespecting front-line workers.

With the very limited debate time that has been allowed to myself and members of the opposition and given the fact that this government has refused to look workers in the eye, to actually engage with them in conversations, I thought I would bring a few workers' voices into this debate, Mr. Speaker, because workers have been outraged by the actions taken by this government. I've grabbed a sample of a few different stories and thoughts – what do Albertans think about this? – because I know the government is not interested in what the opposition thinks because that would mean doing their jobs and listening to the feedback that we're providing.

Here are a few comments from Albertans: "Christina, I'm worried. I'm worried about the future of my public service job. I'm worried about what this government is going to do in the future. Bill 9: what is next? I appreciate that you continue to fight for us. I feel

cheated and betrayed by this government. I never thought that a UCP government would come after the food on my family's table."

Here's another story, Mr. Speaker. The members opposite have already started laughing, laughing at Albertans who are worried. That's the type of cruelty I expect but am always disappointed by because I expect better. Since 2011 ...

**The Acting Speaker:** I think that just at this point I don't think anybody knows what anybody's motives are with regard to any comments being made, so I think that's a fair statement in this stage of debate.

Please continue.

11:40

**Ms Gray:** Thank you for your guidance, Mr. Speaker.

"Since 2011 we have had only one only one small raise of 2 per cent for two years and 1 per cent for the last year, not even cost of living. I work as an administrative assistant and co-ordinator, and I have 12 staff I support in admin duties, and then I also co-ordinate a medical supply for 2,000 locations in Alberta. I'm at the top of my pay scale, and I make \$60,000 a year. I have a diploma and a certificate, and I paid over \$30,000 for my two pieces of education. Do you honestly think that I'm overpaid and deserve to have my wages frozen and then cut? Jason Kenney thinks so, and that's not fair."

**Some Hon. Members:** Names.

**Ms Gray:** Oh, my apology, Mr. Speaker. I will endeavour not to do that again. My apology.

Another message from an Albertan, Mr. Speaker: "My girlfriend and I both work in the public sector albeit in very different roles. Neither of us have had a cost-of-living raise in our time with the GOA: five years for me, six for her. I'm working 40-plus hours a week while also trying to finish a degree online. We can't afford a strike. We can't afford pay cuts. This isn't fair. We're taxpayers, too."

This is one that echoes a lot of what you've heard from the members of the Official Opposition over the debate that's happening in the 30th Legislature. "I'm quite amazed that the UCP and its supporters feel that this is a good move. I guarantee I spend more in Alberta to Albertans than those rich – I will not use the next word, Mr. Speaker – getting a massive tax break. Now, me, a public servant, won't again get a cost-of-living increase to get me and my family an extra dinner a month in an Albertan restaurant, yet oil executives get enough kickback to take their families overseas to spend that money. It just doesn't make sense."

Now, this comment, I think, echoes a lot of what the Official Opposition has been talking about, that the *modus operandi*, the plan, has been to blow a \$4.5 billion hole in the budget by giving large corporate tax giveaways to large, profitable corporations and then to fill that hole by rolling back the wages of public-sector workers of Alberta. Mr. Speaker, we've talked about this in the House a number of times. We know – we know – that when you give working people, when you give lower paid workers a little bit more, they spend that locally, and when you give large corporations a little bit more, they use it for share buybacks. They use it for executives to go on vacations in other parts of the world. When we're talking about the Alberta economy, this Public Sector Wage Arbitration Deferral Act, this bad-faith bargaining bill, is a part of that economic discussion.

Now, a lot of Albertans have recognized that there are a number of aspects of this legislation that are unconstitutional because Albertans have seen this before, and they've seen it happen in other jurisdictions. I'd like to share with you a few of their thoughts

regarding what impact this will have on Alberta should the government continue to proceed and not listen to wisdom from the Official Opposition because we, of course, are here to help.

"It will cost Albertans much more in the end. After a few years of expensive court battles, they will lose and have to pay millions in reparations and penalties. Gordon Campbell and Christy Clark broke a contract with the B.C. teachers in 2002 and fought them in the courts until they lost the last appeal in 2016. Then the NDP got elected, and they are struck with the task and cost of restoring the conditions of the broken contract, restoring class sizes and special-needs programs 16 years later. It means finding space and trying to hire teachers and teachers' assistants and repairing years of neglect." Mr. Speaker, to that comment, another Albertan replied that it was the kids that had paid for that in the end.

This perspective, I think, is important, Mr. Speaker. Again, from an Albertan, a taxpayer: "The real cost when civil workers are hit is a human cost. It's the students in the classroom, the patients in the hospitals, public safety, and on and on and on. Alberta has been here before during the Klein years. It took years to recover from his slash, burn, and cut approach. Very sad but not shocked by this whatsoever."

This perspective is very similar. "Cutting wages or even freezing them can actually result in more spending. This happened with Klein, too. What will happen is we'll have an exodus of qualified personnel, which will mean that the people that remain will have to work more hours; i.e., overtime pay." Well, potentially at straight time, Mr. Speaker, but that's another matter. "Less public-sector workers will also severely impact tons of essential services. Less medical staff, for example, equals more overworked staff, equals more mistakes, and those mistakes will cost people's lives. The thing is that, in the end, a lot of public-sector workers will be fine – lots of them have a good education – but a lot of them might leave our province." Mr. Speaker, that is the fear that this Albertan has. He's also concerned about the impact on rural health care. "What's going to happen when they have less doctors, less nurses, less physiotherapists, less pharmacists? Most people working in rural health care are stretched to the max already."

These Albertans see the writing on the wall. They see what Bill 9 is: not only a piece of legislation that is allowing it to break contracts but a piece of legislation that will allow the government to implement wage rollbacks in the future and the impact that that will have on our public-sector services. Some are even worried about what workers may choose to do. A government strike would absolutely cripple the government. From forestry workers to prison guards to educational services and health, people would see pretty quickly what the civil service is doing for people in this province. Hopefully, it doesn't come to a strike. Hopefully, if it does, it doesn't last long. But this government seems content to see it getting to that place. Of course, AUPE is taking this legislation to court. I honestly think it will win because of previous governments who lost in similar cases.

I found this perspective interesting, Mr. Speaker. From somebody who has been working directly with this government: "I tell you what; if they want to cut back my wages, I'm not going to hurry up with their urgent briefings requested on unreasonable timelines. 'You want to know all the funding information for organization X over the last 20 years and you need to know today? Yeah. That's a level of effort greater than you're willing to compensate me for.' They shouldn't be so cruel and petty to the people who support the province, obviously, but it's absurd to cut off your own arms regarding the public service. That might have worked in the Klein years, before social media and mass e-mails, but now we get hundreds of complaints a day from all across the province, all of which need to be dealt with quickly to avoid a spiral.

These people are not logical thinkers.” There’s a different term in there, but I think that’s a good sampling from just a handful of comments and thoughts from Albertans.

Mr. Speaker, I’m hearing from my constituents and from other Albertans outrage at this government’s actions to break contracts with its workers, outrage at using terms it doesn’t appear to understand like “respect,” and not being willing to work fairly with our public-sector unions and our workforce. This government, at its own peril, forgets that workers have power. Workers have the power to withdraw their services. Workers have the power of solidarity.

The Member for Edmonton-Manning spoke about the demonstrations and the mass outpouring of support for workers during bills 45 and 46 debates. It’s important that our government treat workers with respect, true respect: looking them in the eyes, engaging them in consultation, working with them at the bargaining table, and allowing legally mandated arguments to proceed because we know it works.

[The Speaker in the chair]

This is what is mind-boggling to me, Mr. Speaker. For the past four years, by genuinely approaching bargaining in a good-faith style, we were able to work with our Alberta brothers and sisters, friends, neighbours, siblings. These are the people who live on your street. These are not people who deserve to be vilified. These are the people who keep our province running, from emergency services to answering the briefing notes that these ministers request. Do you think about those people as we debate Bill 9? I hope you would because this government is stealing from public-sector workers to pay for their big corporate tax giveaway.

11:50

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

Oh, my goodness, I believe the Minister of Transportation caught my eye.

**Mr. McIver:** Thanks, Mr. Speaker. I was interested in what we just heard, and I have to say that a few things caught my attention. One of the comments that caught my attention was how somehow an oil and gas worker is going to take whatever money they make and go on a vacation to Europe or something and other workers wouldn’t be able to afford a meal. Well, I agree with the hon. member on one thing: we should be thinking about the welfare of those working Albertans.

But I would say to the hon. member that those working Albertans have probably benefited from our government already because every time they fill up their vehicles with fuel, they save about 7 cents a litre. That’s about four or five bucks a tank, and that’s \$20 a month there. Every time they pay their electricity bill or their natural gas bill, they save somewhere between \$5 and \$25, depending on how much of each of those commodities they use. They’re saving, and in many cases they’ll be saving \$100 or \$200 a month, and in many cases that will get that extra meal. It’s important. [interjection] The hon. member from across is so enthusiastic that I hope he’ll take his turn later on.

Mr. Speaker, I agree when the hon. member says that workers have power. I couldn’t agree more. Anyone who has ever employed people knows that if your employees don’t show up for work, you’re out of business. That’s a fact, and I would agree with the hon. member on that. But the hon. member ought to be supporting our government’s policies because our government’s policies are designed to create more of those workers to have more power. Actually, our policies are designed to get the 180,000 people that

were out of work under the NDP back to work and to have more workers have more power.

I wonder how the hon. member feels about the fact that when you get some of those 180,000 people back to work, what they do is they spend their money. The problem with the NDP government’s policies is that with all the people out of work, they have less money to put into the marketplace, which means the local businesses close up, the local grocery stores have less business, which means fewer employees, and the local restaurants have less business, which means fewer employees. Every other local business has less profit, which means fewer workers, fewer employees. They should actually be supporting our government’s policies – I wonder how the member feels about that – to create more workers with wages to spend at the grocery store, with wages to spend at the restaurant, with wages to spend at the flower shop. Somehow the NDP thinks that’s negative for Alberta.

**An Hon. Member:** They’re all fat cats, all those small-business owners.

**Mr. McIver:** Yes. They all think that the people running the flower shops are fat cats, that those corporations are making too much money. You know what? More people to buy coffee, Mr. Speaker. I wonder if the member ever considered the momentum of creating more jobs and how it creates more opportunities for people and how having maybe two paycheques in the home because there are more jobs available in the marketplace might be good for a family with the policies that our government is putting forward.

I heard a lot of talk about workers’ rights, but as the hon. Finance minister said, this is only about slightly delaying what is going to happen, not taking away anybody’s ability but, rather, slightly delaying the arbitration process so that we can have the information to deal with those workers in a responsible way, having good information in our hands to go forward in a proper way. I’m curious what the member thinks about those things, and I wonder if the folks on the NDP side ever thought about the benefits to Alberta workers, be they public-sector workers or private-sector workers, of actually having more people working in Alberta, creating more opportunities, and in fact making it more affordable for the government to keep and have additional workers. Because a province that will attract people when there are more jobs will be the opposite of what happened when the NDP was in government for the last four years, Mr. Speaker. I wonder very much if the hon. member who just spoke gives a thought to that.

**The Speaker:** Hon. members, is anyone else wishing to join in the debate? I see the hon. Member for Edmonton-South is rising.

**Mr. Dang:** Thank you, Mr. Speaker. It is always a pleasure to rise in this House and debate legislation which is going to affect hundreds of thousands of Albertans in ways that the government does not understand. That seems to be the recurring theme in this session of the Legislature, that the government simply does not understand the impact that the legislation they’re putting through will have. Now, a number of my colleagues here in the opposition have spoken quite at length on why this is true and quite a bit on how over 180,000 workers, including nurses, social workers, teachers, librarians, child health workers, therapists – you name it – are going to be affected in overwhelmingly negative ways if the minister moves forward with this legislation and violates their constitutional rights. That is something that I think has been well established in the Assembly, and the government has chosen to either be wilfully ignorant of it or perhaps they just don’t care that they are breaking the law and hurting ordinary Albertans.

Mr. Speaker, I think that their attack on Albertans and their attack on workers goes further than just what is on the paper of this legislation. I think that when we saw them last night at the stroke of midnight move forward a motion to stifle debate on this, not only were they going after the front-line workers that make this province great, but they were also saying, "You don't deserve to have a voice in the Alberta Legislature." That is what is so shameful about this government. That is what is so shameful about what this government has done.

Then just today, Mr. Speaker, on this bill they moved forward a motion of closure. In fact, at this stage they want only one hour of debate. They want us to only have – that's four speakers, basically, plus the open and close. That is appalling, that they would believe you could have so little debate on this important legislation that is both unconstitutional and attacks over 180,000 workers. That is something that every single member of this Assembly should be concerned about because it is our duty. It is what we were sent here to do. Every single member that sits on the government bench, whether they are the front bench or the backbench, and the opposition were sent here to debate legislation and recognize when legislation is flawed. We were sent here to recognize when legislation hurts ordinary Albertans and to fight back against that. That is what we were sent here to do.

That was number one on the government's platform: jobs. So why are they attacking the jobs of these essential front-line workers? Why do they simply not care about their families? Why do they simply not care about how this affects the Alberta public service? It is very clear after numerous stories that have been told by the opposition here that this legislation is both unlawful and directly hurts families. It directly hurts the people that work for this government, and that is something the government should be ashamed about. Those are the employees that are under the charge of every single person on this front bench. Every single person on this front bench, I'm sure by now – I hope by now, perhaps – has made a request through their public service for briefing material, for an update on an issue, for information on legislation they wish to bring forward. Perhaps the Minister of Finance even sought legal counsel for this bill right here, and perhaps those very workers are the ones now being attacked. Those very workers that do the work that makes this Assembly possible are the ones being attacked.

Not only is it not enough for this government to attack those workers, but they then want to tell the Assembly that this Assembly has no right to debate that attack, to talk about how unlawful this is, to talk about how this goes after hard-working people and hard-working families, to talk about how this goes after ordinary, everyday Albertans. It's a gross abuse of the power that this government has been given. It is a gross abuse of the trust this government has been given, and every single public servant that works under this government's charge knows that, Mr. Speaker.

**12:00**

It is something that every single member of this front bench should be concerned about. They should be concerned that they are attacking their own employees. If they don't recognize that, Mr. Speaker, if the members of this government do not understand that, then perhaps they should read the actual legislation and the case law behind it. Perhaps they should actually go and do the research. If they are not willing to do the research, because they do not wish to or perhaps they feel that they do not have enough time to do the research, whatever it may be – I'm not one to speak to what they do in their free time – then all they need to do is listen.

All they need to do is sit here, and instead of texting or working away on their laptops, all they need to do is listen, and they will understand the impact that this is having on the very employees

under their charge, the very teachers, the social workers, the nurses, the long-term care workers, the correctional officers, and so many more employees, Mr. Speaker, the very people that this government swore to work for in the province of Alberta, to further this great province. That is something that is very concerning.

They either don't understand or they don't care how dangerous this action is, how dangerous it is to take illegal, unlawful action against your own workers. That is the very definition of bad-faith bargaining. The government has tried to say time and time again that this is a good-faith thing. They want to use this legislation to move forward in good faith, but, Mr. Speaker, the case law shows that's not true. In fact, by them trying to force this through at the stroke of midnight last night and now saying that this legislation should be stifled, that we shouldn't be allowed to debate it in this very Assembly, that shows that this government simply does not care about those workers. It shows that this government simply does not even want those workers' voices to be heard in Assembly. It shows how little respect this government has for ordinary, working Albertans, and that is something they should be ashamed about. That is something that they should be ashamed about, or they should stand up and defend.

Mr. Speaker, that is their prerogative, to sit on their hands and not speak to why it's okay to stifle debate and not speak to why it's okay to leave their workers behind and legislate away all the problems that they'll have. That is the government's prerogative.

Albertans will know that they were let down by their own government, the people that are supposed to advance the interests of Alberta workers. Mr. Speaker, the government is showing that they simply don't care. Nothing they are saying is anything other than rhetoric. Nothing they are saying is anything other than campaign talking points. The campaign is over. Now is the time to govern, and now is the time to make sure that the people that have been put under your charge are taken care of and are able to do their best possible job for Alberta, for this great province.

Instead, what this government has decided to do is to go and throw a slap in the face right at those workers that are under their charge, Mr. Speaker. That is something that each and every minister should be ashamed about. That is something that each and every person on that front bench should be ashamed about. That is something that every single person on the backbench should be concerned about. If their own government ministers will not respect the people that are put under their charge, then how could government backbenchers expect to have their voices heard in a respectful manner from their own ministers?

It is something that is deeply concerning for all members of this Assembly because this Assembly has a duty to ensure that we have strong debate on every single bill that comes forward. It is our duty to ensure that every single bill sees the light of day and has thorough research and debate so that we don't put forth legislation that may be unlawful, as this one is, and we don't put forward legislation that will harm ordinary Albertans, as this one does, and we don't put forward legislation that will attack our public service and unions, as this one does.

Mr. Speaker, the government has shown that they either don't understand that that is their job or they really don't care that that is their job. Both of those are things that every single member of this Assembly should be concerned about. That is, indeed, Mr. Speaker, why they were sent to this Legislature. They were sent to this Legislature to debate bills. So when they introduce motions that say, "We only need one hour because we've got it right," well, very clearly, they do not. The bill is illegal. It is unconstitutional. It is breaking the law. If that is what they consider as having gotten it right, then I'm really concerned with what they do when they get it wrong.



Mr. Speaker, I don't think it was what the government intended when they wrote their platform, to say: we're going to break the law, attack our workers, and then have a complete disregard for the Alberta public service. I don't think that's what the government intended. But that's what this bill does, and members of the front bench don't care. I see them fiddling away on their phones and texting away. That's their prerogative. But I really think they should be listening. They should be concerned with how thoroughly this attacks the people that have been put under their charge, how thoroughly this attacks the people that they need to do the duty of Albertans. That is something that is very concerning.

It really shows how the Conservatives have quickly fallen back into their old ways. They've fallen back into bullying workers and not allowing real debate to happen in this Assembly. They've gone out and decided to attack workers, bully them, and say: well, we know the law says one thing, but we're going to introduce legislation anyway because we can get away with it. That's something I think the government should think about really deeply. That is not what Albertans expect from a responsible government, and it's certainly not what our public service expects from responsible government, Mr. Speaker.

We know that a move like this will lead to labour unrest, compromise settlements, and ultimately, when this is taken to court, it is going to cause costly settlements for all Albertans. I know that the Minister of Finance, who introduced this bill, has spoken at length about how he wishes to be fiscally responsible and he wishes to control the cost pressures. Well, Mr. Speaker, to make it very, very clear, lawsuits and having to defend your illegal and unconstitutional legislation is not a way to reduce cost pressures. That is a way to make lawyers rich. Myself, I am not a lawyer. I would prefer if we tried to make Albertans rich. That is something that I think is very important that we do here in this Assembly.

When we look at this bill, which attacks workers, attacks ordinary Albertans, and really is a bad-faith bargaining tool, a bad-faith bargaining bill, we can see very clearly how little this government cares about ordinary Albertans. We can see very clearly how little this government cares about the very people they have under their charge. We can see very clearly how little this government cares that their public service provides essential services for Albertans, services like health care, services like education, services like food inspection. Those are the types of people that this government is attacking with this bill in bad faith. Those are the types of people that will see that this government has broken the law by attacking their collective rights, their collective rights as a union, and that is something this government should be ashamed of. This government absolutely should be ashamed because they have decided that they are above the law. They have decided that the law no longer applies when they bully workers.

That is something that Albertans will not stand for and this opposition will not stand for. We will continue to fight every single day, Mr. Speaker. We know that even though the government does not want any more debate on this, because the government recognizes how bad a bill this is, they recognize how bad this would be for workers. That's why they decided at the stroke of midnight to shut down debate on this. That's why today they only wanted one hour of debate at this stage of the bill. They recognized how harmful this bill is to ordinary workers and to our public servants and our unions. They recognized how much this attacks our workers, the employees under their charge, and because of that, they've tried to stifle debate.

But this opposition will not allow that to happen. We will continue to stand up for ordinary Albertans. We will continue to stand up and fight for those workers. We will continue to stand up and fight for their collective rights, their rights to organize as a

union, and that union's right to have a good-faith agreement. This government is opposed to that. This government is opposed to good-faith bargaining, and that is something they should be ashamed about. That is something they should be ashamed about, and they should be concerned about the lawsuit that'll be forthcoming.

I encourage all members to vote against this bill. Thank you.

12:10

**The Speaker:** Oh, my goodness. Hon. members, 29(2)(a) is available. I believe that I saw the hon. Member for Edmonton-Beverly-Clareview rise.

**Mr. Bilous:** Well, thank you very much, Mr. Speaker. It's my honour to rise. I'm going to try to rise as often as I can because, Lord knows, it'll be very rare that we get to stand up and speak. I will be speaking more broadly to closure. Actually, we'll take a little trip down memory lane because it is fascinating how when the shoe is on the other foot, the rules just don't seem to apply. So I've got lots of beautiful quotes lined up of the hon. House leader, the Premier, the Member for Calgary-Hays, and others who set their hair on fire when our government was attempting to bring in closure in our four-year term.

I mean, it is quite a serious matter, Mr. Speaker. I want to thank the Member for Edmonton-South for his very passionate speech talking about what this means. I know that the Member for Edmonton-South has looked at *Hansard* for some of the bills that were brought in under the PC government, bills 9 and 10 and bills 45 and 46, which, of course, also were trying to take away workers' rights. Bills 9 and 10 were the pension bills that I was in this House debating, where the government of the day also brought in closure. I wonder if the Member for Edmonton-South can just talk about the fact that we're seeing this once again, week 3 of this new government, making an unprecedented move by bringing in closure, stifling democracy. This very Premier at every turn talks about how he is a fan of democracy, yet at the first opportunity does the opposite.

**The Speaker:** The hon. Member for Edmonton-South has approximately three minutes remaining.

**Mr. Dang:** Thank you, Mr. Speaker. It's always a pleasure to take a question or comment from my hon. colleague from Edmonton-Beverly-Clareview. I have to say that it really is almost ironic to hear what he said because it's true. There are members in the government today – some of them are in the government caucus, and indeed some of them are on the government front bench – who were here for those debates and who were here in this Assembly when those bills were introduced last time. They will obviously remember that those bills triggered mass outrage across this province. Not only did they trigger mass outrage; they actually triggered having to travel around this province and hear from workers about why this would be so detrimental. Indeed, it was determined that some of those rooms weren't large enough because so many workers were affected.

When we look at what happened before and how hard Alberta pushed back against a Conservative government that did not care about their rights, we can see today how quickly the Conservatives have fallen back into their old ways, how quickly these members, who should remember – if they don't, Mr. Speaker, maybe they're getting a little bit on in years, then perhaps they do need to refresh their memories. They need to refresh their memories on how aggressively they were pushed back on because it was Albertans that told them that this was unacceptable. It was Albertans that told them that this was an attack on their collective rights. That is happening here again, Mr. Speaker.

These collective rights are being trampled on by the government, and the people who were here before, the members who were here before, they should be able to remember how badly that went for them then, and they should know how badly it will go for them this time, Mr. Speaker. We understand here in the opposition that you do not get to walk over workers' rights. You do not get to walk over collective rights of employees because not only is that what the law says but it is absolutely the right thing to do. When the government decides to do the opposite, then what they are showing is that not only do they not care about the law but they also do not care about workers.

Mr. Speaker, it is so obvious that they have fallen back into their old ways, that we saw years ago, and they simply want to bully workers every single time they have a chance. Every single time they gain the seat of power in this Assembly, they suddenly decide that they need to go after collective rights and bully the workers that are under their charge, and that is a real shame.

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

Anyone else wishing to debate? It appears the Member for Edmonton-Beverly-Clareview has something to add.

**Mr. Bilous:** Thank you, Mr. Speaker. Oh, I have lots to add, let me tell you. First of all, I just want to start off by saying that this bill, the bad-faith bargaining bill, is absolutely a slap in the face of democracy when the government brings in closure after one opposition member had a chance to speak. Now, in our term in office we did bring in closure on Bill 6 for one of the readings. I will quote some of the members opposite when they were in opposition, how they responded to that.

But what this government is trying to do, I think, is quite historic. Again, I did live through the period when the former PC government tried to ram through the pension bills and had to bring in closure. You know what, Mr. Speaker? It's really an affront and an attack on democracy, and I find it extremely rich for the Premier to be bringing this in considering that at every opportunity he stands up and talks about how he's trying to bring decorum to this place and democracy. Yet actions speak much louder than words.

I can tell you that the Member for Cypress-Medicine Hat, back when we brought in closure for Bill 6 – and I'm quoting from *Hansard* – said:

The NDP is pulling every trick out of their book to ram through legislation that farmers and ranchers are simply asking to be consulted on, tricks that the NDP once railed against. Once upon a time the Government House Leader said that, quote, this time allocation thing is a way for the government to short-circuit democracy.

Wow. That's pretty rich, hey? Some might even say that the actions of the government are borderline hypocritical, Mr. Speaker. The member continues:

Premier, we've seen consultation ignored, debate muzzled, and now democracy subverted.

How many public-sector workers did you folks consult with before you brought in closure for this bill? How many did you talk to before you even introduced this bill?

Again, Mr. Speaker, it's incredibly rich that this government will go on and on about how what they've run on is what they're introducing in the House. I don't recall this being in your platform. Can any one of you speak to that? I doubt it. Yet, again, that was their infamous talking point when they talked about the carbon tax, that our government didn't run on it. Again, you're doing the same thing. Hmm. Very hypocritical actions.

Now, the Member for Rimbey-Rocky Mountain House-Sundre, the Government House Leader, at this point in time in the Bill 6 debate, when we introduced closure, said:

It should be unacceptable to Albertans because this is the Assembly where their issues are supposed to be dealt with. This is where democracy is supposed to take place.

I guess that doesn't really apply anymore, does it, post 2019? You have a majority; therefore, you can run the place like a one-party state. Continuing on:

This is where debate is supposed to happen, and by the government taking this action, they are stifling debate. They're not just stifling the opposition members; they're stifling the people who sent us here to represent them, and I think they should very much be ashamed of their behaviour.

Wow. Well, I hope the Member for Rimbey-Rocky Mountain House-Sundre is feeling very ashamed to be hearing his own words. That was from, Mr. Speaker, December 9, 2015.

On that same day – we know that the Government House Leader and myself enjoy hearing ourselves speak – he said:

Now, Madam Speaker, as you no doubt know, the government chooses not to speak to their bills. That's unfortunate. I can see why they would want to end debate and go home, but the people that sent me here and have sent my colleagues in the Official Opposition party as well as the third party and the independent colleagues in this Assembly, our constituents, have made it clear that they want us to speak to this bill. They want us to debate this bill because it affects their lives.

12:20

Mr. Speaker, this bill will affect hundreds of thousands of Albertans, ones that provide critical services to the functioning of our society, and the government needs to ask itself: without nurses, health care practitioners, and teachers, how many businesses would come to Alberta? If they couldn't access health care at any level, if they couldn't put their kids in school, there wouldn't be businesses here. Businesses don't just come for taxes; businesses come because they want reliable, quality services.

What I find rich is that this government has clearly decided that they're going to give a 4 and a half billion dollar corporate tax cut as one of the first actions they take, and who's paying for it, Mr. Speaker? The men and women that make this province turn, that make this province go round. It is disgusting that this is a piece of legislation that they are ramming through. I don't doubt that the government will try to get this through before the end of the week.

Again, the members opposite can say: well, we've had some time to debate. Well, you know what, Mr. Speaker? It's not up to them to say: you've had enough time to debate. Democracy and freedom of speech cannot be collared with time constraints and restrictions. That is exactly what this government is doing. They should be absolutely ashamed of themselves. As I had mentioned, it's more than a little rich that when they were in opposition, we did this, to my knowledge, once at one stage of a bill. Doing it for multiple stages, for this government, is shocking, and I think it is an attack on working people.

Again, I'm proud of the record of our government respecting the collective agreements, respecting negotiations with labour. I mean, I don't know if the government quite understands that by forcing this legislation, it's a slap in the face to all of the brothers and sisters in organized labour that this will affect. This is an affront to teachers, to nurses, to those that help. In fact, the very sheriffs that work in this building, that keep us safe, will be affected by this.

Mr. Speaker, the government, through their words in question period and in this House, are not coming clean with Albertans. They are not being truthful in that there is a clause in this bill that will give the Lieutenant Governor in Council, cabinet, sweeping authorities. In fact, I was talking with a friend earlier today, and this reminded me of Ralph Klein in the '90s, when he rolled back teachers' wages, not just taking zeros but rolling back the wages of

our teachers and others. You know what happened? They drove thousands of people out of this province. Highly qualified people left this province because it sent a very clear message that that government, similar to this government, does not value or respect them or the process.

Now, when the Finance minister gets up and says, “This is just a delay,” I think the government is being very mistruthful with . . .

**Mr. Jason Nixon:** Point of order.

**The Speaker:** A point of order has been called. The hon. Government House Leader.

### Point of Order Parliamentary Language

**Mr. Jason Nixon:** Well, thank you, Mr. Speaker. I rise under 23(h), (i), and (j). You know, it’s become almost comical to watch the opposition continue to try to skirt around the rules of this Chamber and refer to hon. members of this Chamber as lying or not telling the truth – there are certainly tons of Speakers’ rulings on that, lots of stuff in *Beauchesne’s* – totally inappropriate behaviour for this House. While I do appreciate that the hon. member may be frustrated, for him to imply in any way that the hon. the Finance minister is not being truthful is completely and utterly inappropriate for this Chamber.

Again, Mr. Speaker, it’s kind of rich because the Opposition House Leader has used as one of his points in his debate today the decorum in this place, respecting this place, and those type of actions. Again – sorry – those types of actions are completely inappropriate. Again, I even hesitate to rise on it, but it’s so sad to see the opposition continue to do this all the time. You just need to watch question period to watch the fact that the opposition is spending their entire time trying to figure out new and creative ways to call the government a liar. I think there are probably better ways to serve their constituents than that.

**The Speaker:** I might remind the hon. member that I am present for every question period thus far.

The Official Opposition House Leader is rising on the same point of order.

**Mr. Bilous:** Thank you very much, Mr. Speaker. This is not a point of order. First of all, I did not use the unparliamentary language “lied.” Second of all, I did not refer to the Minister of Finance. I referred to the government, not to an individual member. I sure did. I encourage the Government House Leader to check the *Blues* or *Hansard*. I was very, very cautious with my phraseology and wording.

Again, it’s rich coming from the Government House Leader. I think it was today, maybe yesterday – they’re kind of blending together – in question period that the Government House Leader talked about the opposition being mistruthful, misleading and said those words probably six or seven times in three sentences, which, Mr. Speaker, wasn’t a point of order. This is not a point of order. I would appreciate getting back to speaking, my one chance, to second reading of Bill 9.

**The Speaker:** Well, the good news for you, hon. member, is that the clock is stopped, and you will have that opportunity. The bad news, however, for you: while I appreciate your caution – and I was listening attentively, in fact, during debate. While you did use that phrase, I believe that I gave you a very high eyebrow at that time. As you’ll know, last night at approximately this time I reminded all members that we ought not do indirectly what we can’t do directly.

I am very sympathetic to the Government House Leader’s intervention when he has suggested that all members in the Chamber have been trying to find unique and innovative ways to call each other liars. The Government House Leader has apologized for doing this this week. The members of the opposition benches have apologized for doing this this week. [interjections] I might remind all members that the Speaker is on his feet, and as such they should remain silent while they’re in a sedentary position.

Here’s what I will say. Let us all endeavour to raise the level of decorum and not imply that the government is lying, that individuals are lying. Let’s do our very best to not try to do indirectly what we can’t do directly as my sense is that this will continue to lower the level of decorum and not increase the level of debate. While I won’t be asking for an apology as I do acknowledge that the Official Opposition House Leader was cautious in the way that he approached the situation, I would suggest that if he continues to do so, he will need to apologize and withdraw.

As such, let us continue the debate, where the hon. member has approximately six minutes and nine seconds remaining.

### Debate Continued

**Mr. Bilous:** Thank you very much, Mr. Speaker. I will endeavour to be more cautious with my language.

I think Albertans will see that despite the fact that the government claims that this is just a delay, it is quite clear – in fact, it’s in black and white – that it is not just a delay, that this is going to have a significant impact and, quite frankly, it’s going to have a cost. It’s going to have a cost to Albertans because it is unconstitutional. Again, the Premier and this government, rather than sitting down at the table and bargaining with our public-sector unions, which is something that they have earned, which is something that’s been done for decades, Mr. Speaker, would rather tie this up in the courts, pay a whole bunch of legal fees – you know, probably some friendly firms will benefit from that – and waste time and money as opposed to what our government did.

12:30

When we went through negotiations with labour, we did it in a respectful way, in good faith. This is part of the reason why this is unconstitutional. Legislating before you get to a table is bad faith, which is unconstitutional. Mr. Speaker, you can bet your bottom dollar that there will be court challenges immediately by a number of the very men and women that this government claims to appreciate and support yet – once again actions speak louder than words – is attacking the very people that take care of us, that ensure that we can get to and from work safely. Really, without the folks that this government is attacking – you know what? – we couldn’t do our jobs, quite frankly. It’s not a show of respect and appreciation. Again, it’s a slap in the face.

I know that there are a couple of members in the gallery that are here from labour to see first-hand how this government views unions and talks about them. I don’t have *Hansard* here, but let me tell you, Mr. Speaker, I’ll pull it up because there are some choice examples of members like the Member for Cypress-Medicine Hat and others referring to unions as “thugs,” speaking in this Chamber using that word and speaking very negatively about them, when their goal is to ensure that working people have rights, because it wasn’t that long ago when they didn’t have rights. So this is an affront to them, to Alberta workers, you know, the very people that this government claims to support or stand up for. I mean, the good news, I guess, if there is good news, is that Albertans will see very, very clearly what this is.

I also find it fascinating, the timing of this, Mr. Speaker. I think it's no coincidence that, one, this government is trying to ram this bill through this week and, two, that it's this week that the legislation was tabled, and the government hopes to pass it through, very convenient, in the same week that the Trans Mountain pipeline was approved. I'm sure that the Premier wouldn't try to sneak something in in the cover of darkness, in the middle of the night while Albertans are thinking about some positive news.

This bill is awful. I don't know, quite frankly, if and how many amendments we'll be bringing forward. It should be scrapped. If anything, I think the Premier and this government should apologize to working people for their attack on them. I think that what the government doesn't realize is that in the last four years we haven't had any labour unrest. There are many examples in Alberta's history from not too long ago when the government attacked working people. I don't know if you recall, Mr. Speaker, the wildcat strikes that occurred between 2012 and 2015 at the remand centre and elsewhere because the government decided that it was going to attack workers and take away some of their benefits, all on this, you know, assertion or claim that we need to tighten our belts and times are tough. Again, I think Albertans will see – well, you've just given 4 and a half billion to corporations, so I guess times can't be that tough. But who's paying for it? The men and women that built this province and continue to build this province. So I think it's very, very offensive.

I think the government should sit down at the table with labour, the way we did. We were honest and up front with organized labour and said: "You know what? There are some years that we need to ask you to take a zero per cent salary increase." And they did, Mr. Speaker, because they're reasonable. But bringing forward legislation is not just unconstitutional and unreasonable; it's also, in my opinion, a very arrogant action on behalf of this government.

I can tell you that our caucus will not be supporting this bill, and I am sure that is exactly why the government has closure and I will only get one opportunity to speak to this bill in second reading.

**The Speaker:** Standing Order 29(2)(a) is available, and I have seen on a number of occasions this evening the hon. Member for Drayton Valley-Devon trying to catch my eye. As such, 29(2)(a) for a brief question or comment is available to you.

**Mr. Smith:** Well, thank you, Mr. Speaker. Thank you for letting me rise and be able to speak to this 29(2)(a) and to the Member for Edmonton-Beverly-Clareview. I want to start perhaps with a little different tack here. I had the opportunity today, as I was leaving the Chamber after QP, to bump into the gentleman that was sitting up in our gallery here who was from England and had been doing the creation of swords for the various regiments in the Commonwealth. We began talking, and I eventually toured him around Edmonton this afternoon to some of the various military establishments in the nearby area here and had a great time with him and dropped him off at the Hotel Macdonald around 6 o'clock.

One of the comments that he made to me, completely unsolicited, speaks to some of the issues that have been talked about by the Member for Edmonton-Beverly-Clareview around the issue of decorum. One of his comments, as he was watched question period today, was just how impressed he was with the decorum of the government side of the Chamber and how we appeared to understand that in the thrust and parry of debate there's a time to listen, and then there's a time to talk. It would appear that there are still a few members in this Chamber as we speak that need to remember that there's a time to listen, and then there's a time to talk. I was very glad to have the time to listen to the member across the way from Edmonton-Beverly-Clareview and, for that matter, to

many of the members across the Chamber, Edmonton-South, et cetera, as they made points about this bill that we're discussing in this Chamber this evening.

I'd like to start by talking about a couple of the points that they've made as we've talked in this Chamber. Perhaps the first one is that without a good public sector – and I would understand, I guess, that what he's really talking about is a well-paid public sector – there would be no business in this province. I believe that's pretty much, almost, a direct quote from the Member for Edmonton-Beverly-Clareview, and I guess that really speaks to the difference between the way we see things on this side of the House and the way they see things on that side of the House.

Honestly, when I talk with my constituents, they understand this very clearly: if we don't have a society that has the capacity to generate wealth, then you cannot generate taxes, and when you cannot generate taxes, Mr. Speaker, then you cannot provide the services that are necessary to be able to meet the needs of the public. If you cannot generate the taxes and you cannot generate the services, then you will not be able to hire public servants to meet the needs of the people of Alberta, and that's a very crucial difference of opinion and a point of view when it comes to this side of the House and the opposite members, that you have to be able to create an economy that allows you to be able to generate wealth so that you can indeed take care of those that are less fortunate and that you can hire the public servants that allow you to be able to do that, to do the very good things that we all agree on in this House like educating our students, like meeting the health care needs of our people, and like helping those that cannot help themselves. But you have to be able to generate the wealth first.

**12:40**

Now, that's why it's a little rich when I remember back to 2015 and back to some of the debates on Bill 6 or the carbon levy or tax, as we called it, or the electricity decisions, taking the rollback off coal and into natural gas and the jobs that I lost in my constituency because of that decision, because of the stranded assets that were left in the ground, because of the lawsuits that came out of that. I can remember standing up in this House and saying very clearly: "Listen. You know what? Compassion is not limited to one side or the other of this House." I would listen to the other members on this side when they speak their concern for workers and for their rights and for the capacity to take care of their families. I don't think compassion is limited to one side or the other on either side of this House. But what I would argue and what I argued in 2015 is that the people that are really compassionate . . .

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

Are there others wishing to join the debate? The hon. Member for Lacombe-Ponoka is rising.

**Mr. Orr:** Thank you, Mr. Speaker. We spent the night here listening to the opposition raise all the drama they can and whip up all the fear and anxiety they possibly can and tramp around in the swamp as much as possible, but I think we should actually take the advice of one of the members who suggested: why don't we actually read the legal stuff? I have in my hand a copy of the collective agreement, a signed copy – I think 11 signatures on behalf of the employer and eight on behalf of the bargaining team. It says, "The undersigned hereby certify that the foregoing Collective Agreement properly sets forth the terms and conditions agreed upon in negotiations." That's on page 74.

I've read all 74 pages, up to that point that's been signed. There's not one bit in there that actually refers to the content of the bill that the government has put forward. You will find that part about 10

pages further on. There's a salary schedule addendum. There are a couple of other small addenda. You get to page 85, way past the signed portion of the actual agreement. We're down in a bunch of addenda. We have there a small paragraph that actually isn't even signed. After that it goes on to an additional letter of understanding with regard to some other issues.

But we have this little addendum at the end here, that talks about the three-year April 1, 2019, wage reopener. It says, "The Parties shall commence negotiations . . . on the wages payable in Year 3 (April 1, 2019 to March 31, 2020) . . . no earlier than January 15, 2019."

In spite of the fact that we have the opposition continually bringing up that this government is trying to attack every aspect of the civil service, that we're trying to destroy democracy, that we're trying to create illegal agreements, in spite of all of this fearmongering and drama, literally, false passion and all the rest of it, what we actually have here, the part that the government bill actually refers to says simply – and I read it because I doubt that any of the opposition members have actually read it – that "the Parties agree that the only item open for negotiations shall be wages in the Salary Appendices . . ." Then it goes on to say a little bit farther down that "this reopener shall not be construed in any way as [actually] "opening the agreement" for negotiations on any other issues by either side."

So we have all of these things that they keep dragging forth as if we're attacking every aspect of the collective agreement, as if we want to destroy it, as if we want to tear it apart and shred it, an agreement that we're talking about that actually says that is not what's supposed to be happening. They say we haven't read it? They haven't read it.

Then it goes on a little bit further. It says that "any wage adjustment under this wage reopener shall be retroactive to April 1, 2019." I neglected to state at the beginning that this agreement actually doesn't even end until March 31, 2020. So all through this whole period of time the wages are going to continue in force, everybody is going to get paid, the entire collective agreement continues to exist just as it was – none of it can be reopened for negotiation by either side – and when it does finally get agreed to, it's all retroactive anyway. All of this drama and attack and nonsense is just almost unbelievable. It's fearmongering of the ultimate degree. I don't think that they've actually read their own agreement, because I have it in my hand and I'm reading from it.

Mr. Speaker, I just find it astounding, some of the things that have been said. I think that it truly is just meant to – I don't know. Maybe they still think they're campaigning. Maybe it's just because in their DNA they like to be revolutionaries. Maybe they just want to stir up opposition to this government in the hopes that somehow they will regain some sense of credibility. But I think they're just digging themselves a deeper and a deeper and a deeper hole. Because the agreement is still in force to its full effect until April 2020, as the government has said, we're simply asking for a delay in order to have a fair and an equitable opportunity to negotiate.

Now, I understand that everybody who goes into a negotiation wants to get the advantage on their side and wants to take the whole thing in a way that puts them in a favourable position against their opponent. I understand that, sure, they would like to be able to force the negotiations – actually, the arbitrator – prior to the government having the opportunity to understand where we're at. It would put them in a favourable negotiating position. But the truth of the matter is that we did actually, my understanding is, speak to the union leaders and ask for the opportunity to delay this a little bit. To their right, they chose not to. But then to turn around and say that we're bullying them and that we're overriding them and that we're

running over top of them is completely ludicrous. It just simply isn't the case.

We have an agreement that will stay in force until March of 2020. We've simply asked to delay a couple of months so that we can have a fair and an equitable negotiating time. All this other drama, Mr. Speaker, is nothing but just drama.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. I see the hon. Member for Edmonton-Gold Bar has risen to provide a brief question or comment.

**Mr. Schmidt:** Well, thank you, Mr. Speaker. I am always pleasantly surprised when you recognize me, and of course I will take the Member for Edmonton-Beverly-Clareview's example of cautious phraseology when I choose my words in response to the remarks from the Member for Lacombe-Ponoka.

I want to thank the Member for Lacombe-Ponoka for his astute legal analysis of the collective agreements. I certainly will be making sure that my children don't ever attend a law school that this member intends to open up, Mr. Speaker, because this has been an incredible – an incredible – reading of the collective agreement, to suggest that it's no big deal to just scrap one part of the collective agreement, you know, that legislating, passing illegal legislation against the wishes of 200,000 public-sector workers is somehow not bullying.

You know, he doesn't understand why we would be upset except that it's in our nature to be revolutionaries. Certainly, on the topic of revolutionaries I wanted to remind the House that the Member for Lacombe-Ponoka in I believe it was the fall of 2017 warned this House that if we were to legalize cannabis, Mr. Speaker, that we would certainly be heading down the path to Communist revolution. I'm still waiting for the revolution to break to break out. I can certainly say that my own use of cannabis hasn't made me any more or less revolutionary than before, and I certainly don't see signs of that here in Alberta, broadly speaking.

12:50

Mr. Speaker, I also take offence at the member's suggestion that none of us have read the collective agreements. Certainly, as Minister of Advanced Education – and when I get to my regular speaking time, I will delve more deeply into this – I was continually apprised of the stated negotiations with a lot of the units that are listed here in the legislation: Alberta college of art and design, Athabasca University, Bow Valley College, Keyano College, Lakeland College, Lethbridge College. A lot of the workers that benefited from employment at agencies that I oversaw in my term as Minister of Advanced Education are definitely being targeted in this bill. If that has anything to do with, you know, the way that I have treated the members opposite, I'm sorry. If an apology will help stop this attack on the good workers of these educational institutions, then I would certainly offer that up.

I was continually apprised of the state of negotiations with all of these units, Mr. Speaker, so I'm more than well aware. Certainly, you know, I've been following this for years whereas the member just happened to flip through it here briefly while he was sitting here listening to debate in the last couple of minutes. For him to suggest that none of us are even aware of what's in the collective agreement is almost as ludicrous as his suggestion previously that legalizing cannabis would send Alberta down the road to Communist revolution.

Mr. Speaker, it's ridiculous to say that this is no big deal, that we're only – we're only – attacking one part of the collective agreement by passing illegal legislation here in this House, so why should we be concerned? You know, it's certainly indicative of the

government's willingness to run roughshod over collective bargaining rights using the powers of the legislation that are given to them. Why would we be upset about that? Who could possibly understand why people would want a government that honours the contracts that it signs in good faith with 200,000 working Albertans?

Mr. Speaker, again, I'll just remind everybody in the House that I won't take any lectures from the Member for Lacombe-Ponoka. I certainly won't be endorsing his law school if he ever chooses to open one.

**The Speaker:** Well, thank you, hon. member.

Is there anyone else wishing to speak to Bill 9? I see the hon. the Member for Edmonton-Gold Bar.

**Mr. Schmidt:** Well, thank you, Mr. Speaker. In the time between the last speaker's comments and my opportunity to rise to speak to this debate, I had some further thoughts on this matter. You know, I know that we're only a few hours into debate and that there is much ground that has yet to be covered.

[Ms Sweet in the chair]

I want to talk a little bit this evening about the impacts on rural Alberta that this legislation will have. Certainly, I want to talk about two issues related to rural Alberta. One is education and economic development, and the other is rural crime, Madam Speaker. On the topic of rural crime we've heard the members opposite on a number of occasions get up and talk about the rising epidemic of rural crime. Certainly, the UCP platform in the 2019 election had a couple of pages dedicated to talking about rural crime. You know, they tried to tell us that we didn't do enough even though we voted for an extra \$50 million in the budget, that they refused to vote for. Of course, the election platform talks about how tough on crime they're going to be.

Yet here we have a government that's actually knowingly committing a crime. They know that this legislation is going to be illegal, and they know that throwing out the duly negotiated contracts with all of these organizations listed in the bill is illegal. It's interesting to me that a party that prides itself on being a government of law and order would so willingly break the law when it comes to contracts.

**Mr. Ellis:** Point of order, Madam.

**The Acting Speaker:** Go ahead, hon. member.

#### Point of Order

#### Imputing Falsehoods against a Member

**Mr. Ellis:** Thank you, Madam Speaker. Under 23(h), (i), and (j), certainly, to be so direct as to suggest that anyone in this Chamber is knowingly breaking the law, to suggest that anyone in Executive Council is knowingly breaking the law is completely ludicrous and is indeed false. These are "allegations against another Member," "imputes false or unavowed motives," and, certainly, "likely to create disorder" in the House.

I would argue, Madam Speaker, that the hon. member, who is certainly familiar with points of order – in fact, I would almost argue that he would probably have his own time out corner, if that was the case, because there have been so many points of order against him. I would just suggest and caution him to maybe choose other language than making accusations against any member in this government that they are breaking the law. I mean, I think there has been some leeway here, and I think that people in your position as the Speaker have provided that leeway, but to be so direct, as he has

been, I think is completely outrageous. He certainly needs to withdraw those comments and apologize.

Thank you.

**Mr. Bilous:** Madam Speaker, I don't think this is a point of order for a couple of reasons. Number one, throughout this whole evening we have talked about how this bill is unconstitutional and illegal, or breaking the law. The member did not identify any individual member as breaking the law or that their behaviour is. It's the government bringing forward a bill that is unconstitutional, which I will point out has been said by about 15 of my colleagues throughout the whole evening. Not once was that a point of order or did it cause disorder, yet it appears that the government has it out for the Member for Edmonton-Gold Bar and was even referenced by the hon. government whip when he said: look at the number of times that he's had points of order against him. That is irrelevant in an individual point of order. It's not a score that is being kept on individual members.

For that reason, it's not a point of order. It's a difference of opinion. I believe the Member for Edmonton-Gold Bar was merely referring to the fact that it is unconstitutional, and we will see that in the coming weeks should this bill pass in this House.

**Mr. Jason Nixon:** Madam Speaker, the difference between what the Opposition House Leader just presented and what the chief government whip was presenting is that the hon. Member for Edmonton-Gold Bar said that the government was committing a crime. The language changed significantly in that hon. member's presentation from what the Opposition House Leader just presented. Now, he may not have heard that – I don't know – but that is what he said, which is significantly different than what the Opposition House Leader just defended.

As for the concerns about the chief whip having it out for the Member for Edmonton-Gold Bar, I can assure you that that is not the case, though I am shocked to hear that the Member for Edmonton-Gold Bar is excited to hear that he gets more points of order found against him than anybody else in the Chamber. That could be his record that he can take away from this place, but certainly he should not be calling the government criminals.

**The Acting Speaker:** Do you have anything to add, hon. member, that's of relevance to the debate?

**Mr. Dang:** Yes, Madam Speaker.

**The Acting Speaker:** The hon. Member for Edmonton-South, and then that's it.

**Mr. Dang:** Thank you, Madam Speaker. Very clearly – I would encourage you to check the Blues – the Member for Edmonton-Gold Bar did not use the words "committing a crime." It is very clear and there is a long history of precedent in this House that matters of opinion that are presented by members of this Assembly are actually matters of debate. In many cases, as the current Speaker of the Assembly has ruled many times, this House may be required to accept multiple versions of the facts. I really do believe that this is not a point of order.

Thank you.

1:00

**The Acting Speaker:** Well, thank you, hon. members. I was wondering when I took the chair if this was going to happen.

To be clear, there has been significant leeway in this House around this bill specifically and discussion around whether it is illegal or it is not. It has been recommended in the past that when

these conversations are happening, it needs to be directed to government policy and directed at the government as a whole and not individuals. I did not hear the specifics around the term “criminal actions.” However, I am going to caution the member to rethink the debate and how you will continue to discuss this bill specifically. I would say at this point that it’s not a point of order.

The hon. member.

### Debate Continued

**Mr. Schmidt:** Well, thank you, Madam Speaker. Certainly, I am also not a lawyer, so perhaps the difference between breaking the law and committing a crime is a difference that is lost on me, and I will be much more careful with my language. Certainly, I didn’t want to imply that the government is doing anything criminal, but I was absolutely clear that they are knowingly breaking the law.

[The Speaker in the chair]

I can say that with every confidence because, having sat in cabinet myself, I know that when legislation is brought forward, the lawyers that work for the public service provide advice to the members in cabinet on whether or not a law will be constitutional. Unless they’ve wholesale changed the legal staff in the public service, I am certain that the lawyers who are providing advice to cabinet did warn the members opposite in cabinet that it was unconstitutional. If they didn’t, Mr. Speaker, I would strongly advise them to hire different lawyers.

Anyway, it is bizarre to see the members opposite say that, you know, they’re not breaking the law, that all they are doing is delaying a date for arbitration from now until the end of October. If we were to draw and analogy to a criminal circumstance – to be clear, this is not a criminal circumstance – it would be like catching somebody who stole a car and then them explaining to the police officer that they didn’t steal it, that they were just borrowing it for a little while. That’s exactly what the government is trying to do with this legislation when they say it’s not illegal to break the collective bargaining agreements that they’re only seeking to delay.

It is illegal, and they are breaking the law in rural communities all across this province. They’re certainly breaking the law when it comes to, you know, the AUPE employees at the Lamont health care centre, the HSAA employees at the Lamont health care centre, and the Bethany Group. Alberta Innovates, I know, has a site in Vegreville, and they’re doing a lot of interesting things related to agricultural production, innovation there. Athabasca University represents a number of employees who live in the town of Athabasca. InnoTech, Keyano College, Lakeland College, Lethbridge College. Northern Lakes College has some 23 sites distributed all throughout northwestern Alberta. That affects employees in a number of ridings represented by government caucus members. Olds College, Red Deer College: those two institutions, Mr. Speaker, you’re well aware of the valuable contributions that they make to rural Alberta not just in the communities of Red Deer and Olds, but they also provide education services in towns like Ponoka and Stettler and Drumheller, for example, through the Campus Alberta central.

You know, it’s bewildering to me that the members opposite, of course, talk about what they’re doing to prevent law-breaking in rural communities, and then their ninth act of legislation breaks the law in a whole host of rural communities, but I guess it only matters that they’re breaking the laws that they don’t like whereas the people that they want to bring to justice are breaking the laws that they do like.

The further point is the valuable educational services that these institutions provide. Mr. Speaker, in my time as Minister of

Advanced Education I had the opportunity to visit all of the colleges and universities that are listed here, and I know that the members who work at these institutions provide valuable services to the students as well as the faculty and administration at each of these institutions. Without them, they wouldn’t be able to conduct the teaching and research that provides such a valuable resource to citizens all across this province. Indeed, it’s really the rural colleges that stand to lose the most with labour unrest. Certainly, institutions like – I want to talk about Northern Lakes College because that’s certainly one of the institutions that’s doing a lot of good work in providing education for rural and indigenous students in northern Alberta. Mr. Speaker, most of the students that attend these colleges are attending the only postsecondary educational institution that’s available to them. Most of these students live in communities that are very, very far away from Edmonton and Calgary, and it’s almost impossible for those students to make the trip to Edmonton or Calgary to attend university or college in the big city for a whole host of reasons, cost being one of them, transportation barriers being another. Certainly, the culture shock of moving from their hometowns to a big city like Edmonton or Calgary is a big barrier for a lot of people to overcome.

So it’s critical that we be able to provide high-quality education to citizens in these communities. By the work of the people who are represented by the Alberta Union of Provincial Employees in these institutions, they can get that education that they need to go on to become the trained workers and professionals that their communities rely on. Certainly, when I talked to lots of people at Northern Lakes College, the college has an aboriginal teacher education program that trains indigenous students from northern Alberta to become teachers, and that’s often the only way that many of these communities in northern Alberta can get teachers to come to their communities, by sending their own students to this college to take the training and then return home.

My concern is that by creating all of this labour unrest, by ripping up contracts and making this unconstitutional move to destroy collective bargaining with these agencies, it’s going to put students at risk, Mr. Speaker, and it’s going to have an impact on thousands of students, especially in rural Alberta, thousands of students who don’t have the means to get an education, who don’t have a lot of other opportunities for education. When those students lose that opportunity for education, then their whole communities lose out. I hate to think of how many classrooms are going to go without teachers because students have lost the opportunity to take the teacher training, that they’re going to not have people trained to be paramedics or licensed practical nurses or social workers because they’ve lost the opportunity to receive that kind of education at these institutions because the members opposite have decided to agitate the workers and create all of this labour unrest by making this unconstitutional move.

1:10

In a time when, certainly, rural Albertans have borne the brunt of the economic downturn and certainly have a disadvantage when it comes to receiving higher education, it makes no sense to be weakening the higher education system in the very communities that stand to gain the most from a strong higher education system, Mr. Speaker. I don’t understand how the members opposite can run around claiming to be champions of rural Alberta education and rural economic development when they’re attacking the very foundations of education and rural economic development in their very own communities. I hope that the members opposite take the opportunity to reflect on this, go back to their communities, and talk to their constituents about the value of the education that is provided by these institutions and the possible negative consequences that

the students who attend those institutions would suffer if they create the kind of labour unrest that they seem to be intent on creating through passing this legislation. I can tell you from my own experience that rural Alberta communities will be hit hardest, and it will have a significant, lengthy impact on those communities that it will take a long time to recover from.

I don't know, Mr. Speaker, how much time I have left. I just want to make a pitch for Lakeland College in particular. I've got one minute. I know that the Member for Calgary-Lougheed is a good friend of the Premier of Saskatchewan. I would urge him to talk to the Premier of Saskatchewan and get the government of Saskatchewan to fund Lakeland College. We have a lot of Saskatchewan students who pay domestic tuition to Lakeland College, and of course we know that the operating budget of that institution is funded entirely by the people of Alberta. I don't think that that's fair.

So if they're looking for ways to cut the budgets of institutions, I would hope that the Member for Calgary-Lougheed and his fellows on Executive Council would reach out to the government of Saskatchewan and ask them to pony up for the high-quality education that has been provided to many citizens of Saskatchewan at a reduced cost due to the generosity of the people of Alberta for years and years and maybe ask them to reach into their own pockets and pay for the education of Saskatchewan students and not take that money out of the pockets of the AUPE workers who are providing those critical services to the students who are learning and will contribute so much to the fabric of this province and the province of Saskatchewan.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. members. Under Standing Order 29(2)(a), I see the hon. Member for Edmonton-Castle Downs.

**Ms Goehring:** I was just riveted by what the Member for Edmonton-Gold Bar has been talking about and his plea for Lakeland College, and I do believe that he probably has a lot more that he could say requesting government to advocate for the many, many different agreements that are going to be impacted by this. I think that it's really important that he get to continue talking about his concerns and be able to express our general concern with where this bill is going. With that, I would like the Member for Edmonton-Gold Bar to continue.

Thank you.

**The Speaker:** Thank you to the hon. Member for Edmonton-Castle Downs. I was struggling to find how it was relevant to the debate, but perhaps the hon. Member for Edmonton-Gold Bar will be able to ensure that his pleas are also relevant to the debate that's before us.

**Mr. Schmidt:** Well, Mr. Speaker, I'm a little bit hurt that you would suggest that my comments weren't relevant to debate. You know, I will try to make it as relevant as I can.

Obviously, the government is looking for a place to make money, right? Rather than reaching into the pockets of the hard-working people who provide educational services, support services at Lakeland College, they could call up the Premier of Saskatchewan and say: "Hey, we're educating your students at no cost to you right now. Do you think that's fair?" Of course, I think built on the strong relationships that are clearly evident between the Member for Calgary-Lougheed and the current Premier of Saskatchewan, perhaps there would be a fruitful resolution to that issue, and they wouldn't have to reach into the pockets of the AUPE workers who are there at Lakeland College.

I wanted to talk a little bit about, you know, some other examples of valuable educational opportunities that are put at risk by this legislation. And thank you to the hon. Member for Edmonton-Castle Downs for her question. I remember fondly visiting the campus of Lethbridge College, where they have a wind turbine installation program, Mr. Speaker. Certainly, during the time of our government Alberta became a continent leader in investment in wind energy, and the demand for people with the training to go to work in the wind sector was going through the roof. That will likely change since the members opposite are ideologically opposed to wind, other than the wind that's generated by their own members.

You know, we need to move to a renewable energy sector as quickly as we can. Certainly, I would agree with the Pope, who has also told us that we need to move to a renewable energy economy as quickly as possible. Lethbridge College is training a number of people to be able to go to work in that sector. If we create this labour unrest that the members opposite are intent to create with this very legislation that we're talking about, that puts not just the students' education at risk but Alberta's ability to move to a renewable energy economy at risk. We don't know how many potential wind turbine technicians we're going to lose as a result of this bill, Mr. Speaker.

You know, I know that I won't find too many sympathetic ears when it comes to renewable energy, but I certainly hope that we would find some sympathetic ears when it comes to fossil fuel development. I can certainly speak to the excellent work that Keyano College does in training the power engineers and other related technicians who are required to work in the oil sands industry in Fort McMurray. There is no better place to learn about working in that industry than Keyano College. They've invested significant resources in developing their ability to train people to go to work in the oil sands industry. That industry will also be put at risk because of the government's intent to create labour unrest at that institution, Mr. Speaker, and I think that that's a shame.

**The Speaker:** Well, hon. members, if I might just provide a comment prior to calling the Government House Leader. I think that it's fair – when the Speaker makes an error in the Chamber, he'll be happy to apologize. Certainly, those comments were relevant, and my interjection was unwarranted.

I see the hon. Government House Leader rising. I'm happy to hear what his . . .

**Mr. Jason Nixon:** I'm confused, Mr. Speaker, if you're asking me something. I wasn't following. I'm intending to speak.

**The Speaker:** You have no opportunity to speak because you've already . . .

**Mr. Jason Nixon:** Because I already moved it. Yes; you're right. Correct.

**The Speaker:** If you're intending to speak to the bill, you are unable to do so as you moved the previous question. If you are perhaps moving a motion that I was unaware of, I recognize you to do so.

If there are any other members that wish to speak to the bill, now would be your opportunity to do so. I see that the hon. Member for Calgary-West has risen.

1:20

**Mr. Ellis:** Well, thank you. Thank you very much, Mr. Speaker. Of course, Bill 9 – I've been listening intently to the opposition as they have argued their case per se.



You know, I've certainly had an opportunity even to talk with my friend here from Leduc-Beaumont, who is a former police officer as well and somebody that was part of an association, both he and I, although one in Edmonton and one in Calgary. Certainly, we were part of collective bargaining agreements. We were somewhat reminiscing and talking about how there had been times where for two – I think in his case he mentioned two years. I think in my case I remember anywhere from two to three years where we were without a collective bargaining agreement and were still in negotiations with the city at that particular time.

You know, I reminisced with him as far as: what did we do? Well, we put our nose down and we just continued to work. At some point the agreement would eventually be reached and then there would be some form of compensation that would be paid back to us over a period of time, but that's just part of the process.

On Bill 9, to sit there and reflect and go, "You know what? We are looking for a few months after the complete fiscal disaster that the NDP had left us in so that we have an understanding of what the books are, the way the layout of the economy is" is not unreasonable. In fact, for them to insinuate or suggest that they have somehow, we'll say, *carte blanche* or some sort of ownership over all public-sector workers is completely false. I know full well many public-sector workers who are constituents, who are friends, who are people I've known for well over 20 years who do not support in any way the NDP.

I myself am a police officer. The gentleman from Leduc-Beaumont is a police officer. The hon. minister here just to my left is a social worker. Well, big surprise; we have a teacher over here from Drayton Valley-Devon. We have construction businesspeople. We have a carpenter, I learned only today, right? I mean, these are working-class people that understand the situation that the NDP has left us in, and that is why we had a victory on April 16, an overwhelming mandate from the people of Alberta with well over 55 per cent of the vote. That was a clear mandate saying that we want fiscal responsibility and we want restraint on spending. That's not unreasonable. To ask for a few months, just a few months, for us to take a look at this complete mess that we have been left is not an unreasonable ask from the people of this province.

When I take a look at this bill – you know, I know that we've had fun with our friend who is the Opposition House Leader when he was referred to as, in jest, the minister of one job, during the previous Legislature – I look at this bill as being almost three times larger than his bill, which was his job-description bill. I say that in jest with him. Certainly, we have talked offline.

I just want to reflect back when I reflect on Bill 9. Again, the comment on the people in this Chamber – you know, I cannot speak for the folks in the opposition, but I can speak for the hard-working people that spent months and months talking, door after door, to constituent after constituent. Certain cases and certain constituencies had unprecedented numbers – unprecedented numbers – of people who purchased memberships with the United Conservative Party to support this vision of bringing the Wildrose Party and the Progressive Conservative Party together. Again, things that were completely unprecedented. This did not happen by chance. This was not a fluke. This was hard work that was done at a grassroots level. So when we sit here and talk about asking for just a few months' grace – that's it, a few months' grace – to look at the disaster that has been placed in front of Treasury Board and Finance and has been placed in front of this government is again something, Mr. Speaker, that is not at all unreasonable.

You know, I know that there are always these references to – I heard references about rural crime. Look, I mean, we worked hard. We worked hard in putting together a rural crime report. We went

and talked to not just constituents, but we went out. Myself being from an urban riding, I remember going to your constituency, Mr. Speaker – and I think it was Three Hills – and talking to the frustrated people. We questioned the government. Where were they at the time? Where were they? They didn't go to any of these town hall meetings. I heard references earlier about listening to rural Albertans. Well, rural Albertans, they spoke, and they spoke very clearly on April 16, and that's why you see the majority that you see in the House that represents a good portion of rural Alberta.

**Mr. Jason Nixon:** All of it.

**Mr. Ellis:** All. In fact, you're right. You're right, sir. Right? I mean, unless somebody can correct me, I think all of rural Alberta is part of the United Conservative Party. Again, that's something that is, I would say, to be almost unprecedented. Certainly, if somebody wants to look up the numbers on that – but the point is that we went.

We talked to constituents. We went to these town halls, you know, and these people have an understanding – an understanding – of what needed to be done. They knew – they knew – that there were going to be some tough decisions because of the massive fiscal hole that we have been left. As our Premier has stated, I think publicly, the numbers are bad. The numbers are really, really bad, and I'm sure at some point we're going to have that day where those numbers are going to be released. This is important. It's important. I see members of Executive Council here. I see our Premier in the wee hours of the morning, according to my watch 1:30 in the morning. We're here because we care. We care about Alberta. We care about the hole that was left by the previous government.

I know it was discussed already earlier about the history of Alberta, the history, you know, over a hundred years. We had one government that was there for 44 years. Another government was there for 36 years. Other governments were there for longer. It was unprecedented that we would have a one-term government. Unprecedented. It was given a clear mandate during the last election to have the fiscal responsibility to look at the books, and that's really what we're doing right now with Bill 9, the Public Sector Wage Arbitration Deferral Act. It gives us an opportunity, Mr. Speaker, to look at where we are, how we got there, and we have a fantastic panel, what I would call a blue-ribbon panel, led by a former NDP Finance minister, right? Like, are they criticizing that, a former NDP Finance minister, right? They're going to come back with these recommendations. They're going to find out where we are as far as the previous government, the hole that they left us in.

1:30

This is something that, Mr. Speaker, is important to Albertans. It's important to Albertans as to where we are, but also it's important to Albertans as to how we got to where we are and also a plan as to where we're going. That's important. To sit there and to take a prudent approach, to sit there and be cautious: there's nothing wrong with that. That's reasonable, right? It's all we're asking: common sense, reason; slow things down; proceed with caution. We cannot have an open chequebook where we're just writing cheques. It's just not fiscally responsible.

With that, Mr. Speaker, I'm going to close my remarks, and I certainly thank you very much for your time.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available, and I see that the hon. Government House Leader has risen.

**Mr. Jason Nixon:** Well, thank you, Mr. Speaker, for recognizing me, and thank you to the hon. government whip for his comments. I note the time, so I will try to be brief with the time that I have. I just wanted to point out a couple of things after listening to the

debate for the last six hours this evening. I'd be curious about the chief whip's thoughts on this. It's been interesting to listen to the opposition members get up in this Assembly all night and last night as well and say that closure had been brought in on them, on this legislation, that they weren't going to be able to debate this legislation, and that they were being capped at one hour. I heard some of the members say that, that they couldn't speak to the bill and that this was a big affront to democracy. I feel that it's important to be clear to the Chamber what has taken place.

First of all, last night in this Chamber until about 3, 3:15 in the morning the opposition debated this piece of legislation for just over eight hours and this evening have now reach about six hours, which is a total of 14 hours, and we're only on second reading of the legislation. That's significantly longer than one hour. In addition to that, 22 members of the 24-member opposition caucus have spoken to this legislation so far on second reading alone.

**Mr. Kenney:** I thought we weren't letting them speak.

**Mr. Jason Nixon:** If we weren't letting them speak, that's quite shocking. I don't know how you can make that argument with a straight face in this Chamber, though. We've watched them for 14 hours make the argument that they've only been here for one hour, and we've watched them for 14 hours as each and every one of the opposition got up one after another and said that they weren't being allowed to speak. It's kind of bizarre, Mr. Speaker, but that was their approach to this legislation. That is their right, to be able to approach debate however they want. It's their right to be able to communicate in this House. Whether they're communicating effectively or not: I won't judge on that.

But here's the reality. I have not as the Government House Leader moved a closure or time allocation motion on second reading, and I sense that it is about to pass second reading this evening. I will see what happens. I think the vote is imminent without a time allocation motion before the House. In fact, I would note for the House, with two members of the opposition caucus who still haven't spoken to it, that they're welcome to speak to it when we yield the floor here shortly, but what will likely happen here in a few short minutes is that you will call the question, second reading will take place after two votes, and off this legislation will proceed through the House. Again, we have two opposition members left that are welcome to speak to the bill if they like with no time allocation motion on the table. I know that the hon. Member for Edmonton-South, I think, continued to say that time allocation had been moved. As you know, Mr. Speaker, there has been no time allocation motion moved.

Lastly, just a reminder: 14 hours of debate so far, and we're not done on this legislation. It's important to us to be able to make sure that all members have an opportunity to debate this important motion. Again, as we move through to the next stages, I would encourage the members of the opposition to focus more on actually debating the bill that is in front of our House instead of spending their time trying to say that they're not being allowed to debate for 15 or 20 minutes while they're discussing that they're not allowed to debate. I think that's pretty fair, Mr. Speaker.

With that, I look forward to seeing if I'm correct in that the vote is imminent.

**The Speaker:** Hon. Member for Calgary-West, there's approximately a minute and 25 seconds left.

**Mr. Ellis:** Well, wonderful. Thank you very much, Mr. Speaker, and thank you for allowing me the opportunity to have a final word here. You know, I concur with what the hon. Government House Leader has said. It's been 14 hours' worth of debate, so to suggest

in any way that there hasn't been an ample amount of time to talk about this – you know, when we listen here, the vast majority is not necessarily debate about the bill itself. The vast majority of the time, of the 15 minutes being used by each member, is usually in reference to a suggestion that they've only had an hour's worth of debate. We respectfully disagree with that opinion, right?

**Mr. Jason Nixon:** It's a fact.

**Mr. Ellis:** I agree. Yes, the facts do disagree with what has actually happened.

Mr. Speaker, I want to thank you again for the opportunity. Again, Bill 9 is just a simple way to allow the government, the Executive Council, to take a look at the books, to give our Finance minister an opportunity to look at the fiscal mess that has been presented before him.

**The Speaker:** Hon. members, are there any others wishing to speak to the previous question on Bill 9?

[The voice vote indicated that the motion on the previous question carried]

[Several members rose calling for a division. The division bell was rung at 1:37 a.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Amery	Madu	Rutherford
Barnes	McIver	Sawhney
Dreeshen	Milliken	Schulz
Ellis	Neudorf	Sigurdson, R.J.
Fir	Nixon, Jason	Singh
Glasgo	Orr	Smith
Hunter	Rehn	Stephan
Kenney	Reid	Turton
Loewen	Rosin	Walker
Lovely	Rowswell	Wilson
Luan		

Against the motion:

Bilous	Goehring	Schmidt
Carson	Gray	Sweet
Dang	Irwin	

Totals:	For – 31	Against – 8
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[Motion on previous question on Bill 9 carried]

**The Speaker:** Hon. members, I am hesitant to recognize the Opposition House Leader because, as he would know, we're going to proceed to the question on second reading, but seeing that we've come this far, perhaps I'll entertain what he has to say.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I appreciate that. I request unanimous consent to move to one-minute bells.

[Unanimous consent granted]

**The Speaker:** Hon. members, pursuant to Standing Order 49(3) I must now immediately put the question on the original motion for second reading.

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

[Several members rose calling for a division. The division bell was rung at 1:55 a.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Amery	Madu	Rutherford
Barnes	McIver	Sawhney
Dreeshen	Milliken	Schulz
Ellis	Neudorf	Sigurdson, R.J.
Fir	Nixon, Jason	Singh
Glasgo	Orr	Smith
Hunter	Rehn	Stephan
Kenney	Reid	Turton
Loewen	Rosin	Walker
Lovely	Rowswell	Wilson
Luan		

Against the motion:

Bilous	Goehring	Schmidt
Carson	Gray	Sweet
Dang	Irwin	

Totals:	For – 31	Against – 8
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[Motion carried; Bill 9 read a second time]

## 2:00 Government Bills and Orders Committee of the Whole

[Mr. Milliken in the chair]

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

### Bill 10 Alberta Personal Income Tax Amendment Act, 2019

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

**Hon. Members:** Question.

[The clauses of Bill 10 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

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

### Bill 9 Public Sector Wage Arbitration Deferral Act

**The Deputy Chair:** Are there any questions, comments, or amendments to be offered with respect to this bill? I see the hon. Member for Edmonton-Beverly-Clareview standing.

**Mr. Bilous:** Thank you very much, Mr. Chair. I will have lots more to say on this, just not this evening. With that, I move that we adjourn debate.

[Motion to adjourn debate carried]

**Mr. Jason Nixon:** Mr. Chair, I move that we rise and report Bill 10 and that we rise and report progress on Bill 9.

[Motion carried]

[The Speaker in the chair]

**Mr. Milliken:** Mr. Speaker, the Committee of the Whole has under consideration certain bills. The committee reports the following bill: Bill 10. The committee reports progress on the following bill: Bill 9.

**The Speaker:** Hon. members, does the Assembly concur in the report? All those in favour, please say aye.

**Hon. Members:** Aye.

**The Speaker:** Any opposed, please say no. That motion is carried and so ordered.

The hon. Government House Leader.

**Mr. Jason Nixon:** Well, thank you, Mr. Speaker. I appreciate all members of the House and want to just thank them, through you, for all their hard work tonight and thank them for all the progress that we've been able to do, and as such, I will move to adjourn the House till tomorrow at 1:30 p.m.

[Motion carried; the Assembly adjourned at 2:04 a.m. on Wednesday]







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