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The 30th Legislature
Second Session

Alberta Hansard

Tuesday morning, December 1, 2020

Day 74

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta The 30th Legislature

Second Session

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Legislative Assembly of Alberta

10 a.m.

Tuesday, December 1, 2020

[The Speaker in the chair]

Prayers

The Speaker: Lord, the God of righteousness and truth, grant to our Queen and to her government, to Members of the Legislative Assembly, and to all in positions of responsibility the guidance of Your spirit. May they never lead the province wrongly through love of power or desire to please but, setting aside all private interest and prejudice, keep in mind their responsibility to seek to improve the condition of all.

Please be seated.

Orders of the Day

Private Bills Second Reading

Bill Pr. 1

The Sisters of the Precious Blood of Edmonton Repeal Act

The Speaker: The hon. Member for Peace River.

Mr. Williams: Well, thank you, Mr. Speaker. I appreciate the opportunity to rise on this private bill. Earlier this year I rose to introduce first reading of Pr. 1, The Sisters of the Precious Blood of Edmonton Repeal Act. This is an act with the intention of repealing an act that was introduced by the Legislature, An Act to Incorporate The Sisters of the Precious Blood of Edmonton.

The sisters are a charitable organization that operated in Alberta for a number of decades. They are no longer active. Their purpose was at the time to practise works of piety, mercy, and charity. They're a monastic congregation of sisters in the Catholic church that did works of charity. They no longer have any property that we're aware of, any assets or liabilities, and have satisfied the private members' business committee that all of their affairs are arranged.

As the Chamber knows, these bills are not full of content of a partisan nature. Though I am the sponsor – these bills do need a sponsor in the Legislature to be introduced and moved – it is not content that I created as a private member. I'm moving it on behalf of the organization.

I now will move the second reading of Bill Pr. 1, The Sisters of the Precious Blood of Edmonton Repeal Act.

Thank you, Mr. Speaker.

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

Mr. Feehan: Thank you, Mr. Speaker. I appreciate the opportunity to speak to Pr. 1, The Sisters of the Precious Blood of Edmonton Repeal Act. I want to begin, of course, by thanking The Sisters of the Precious Blood themselves for bringing this bill forward, as was mentioned. It's a unique circumstance, and there were some people that were particularly involved, so I'd like to thank Lorimer Dawson; Sister Anne Rajotte, who I happen to know a little, tiny bit; and Father Adam Lech, who all participated in this process to bring closure to The Sisters of the Precious Blood.

I was myself aware of The Sisters of the Precious Blood because, of course, their residence was just behind St. Francis Xavier high

school and Annunciation parish, which I attended when I lived in the west end of Edmonton. That was the location of their cloistered order, something that is fairly unique. Not very often now that we actually have people enter the orders where they confine themselves to a building and not enter into the community in the way that most orders do nowadays, so it was very unique and well known in the community for the work they did.

They, of course, focused on prayer as one of their primary contributions to the community and were often sought out by members of our congregation and other people from around the province, certainly throughout the, you know, 450,000 Catholic members of the Edmonton archdiocese, to make intentions on their behalf. Of course, they engaged in some charitable works. I know that they did works in the cloister itself and then distributed the benefits of those works to members of the community. They were certainly, while not being seen on a day-to-day basis often, viewed as members of the community, and they were an important part of the Catholic community in the west end of Edmonton and indeed of all of the archdiocese of Edmonton.

Unfortunately, of course, as time has gone on, the number of young people who are wishing to enter any of the religious orders, whether it be the priesthood or the convent, has decreased, and that also included, of course, The Sisters of the Precious Blood. As a result, in about 2012 there was a determination by the sisters themselves that they would be unable to continue their order in Edmonton as a suborder of the larger congregation around the world. That led, of course, to them making a decision to apply to the Vatican to have the appropriate steps taken, which was referred to as canonical suppression of the order, meaning that essentially the order would come to an end and no longer exist. That decree was in fact given by the Vatican in the summer of 2012, to essentially establish that The Sisters of the Precious Blood would no longer exist within the Catholic church and would no longer be a Catholic working order.

As a consequence, there was a need to make decisions around the assets and liabilities of the organization, and it became somewhat of a complex affair making decisions about how they would essentially take care of that property that was just off 163rd and 95th Avenue in the west end of Edmonton. As a result, in 2012 they began work in connection with those liabilities and assets. Essentially, the lands themselves were gifted to the Catholic archdiocese to continue their work for the benefit of St. Joseph Seminary, which, of course, is the seminary established for the training of Catholic priests. Now that land will be used for that purpose as well.

The agreement itself that was established in terms of the dissolution of the Precious Bloods and the selling off of their property resulted in an agreement that about 30 per cent of the trust monies coming from the sale of the lands and other possessions of the Precious Bloods would be used in order to look after the ongoing needs of the few remaining sisters in whatever facility they were transferred to for their care in the remaining years of their life and that 70 per cent would go to the Catholic archdiocese for the training of future priests. That was the decision and the preference of the Precious Bloods themselves.

As such, some complicated agreements needed to be entered into, and it took some time between that initial decision in 2012 and our present day to come to the point where we are satisfied that all of the issues with those liabilities actually have been dealt with. Part of the complication, of course, was that the Precious Bloods, having closed down here, chose to send some of their sisters to other convents, and that included some in the United States, which created some problems in terms of providing monies from the trust fund out of the country given now that the trust fund was considered

a charitable organization and was not allowed to fund outside of the country. As such, this has been delayed since the decision to canonically suppress the order in 2012 and brings us to this present date, where we are satisfied with the terms set out by Canada Revenue Agency that the winding up of this order has indeed occurred.

While there has not been a clearance certificate available for a number of reasons, a determination was made by the legal departments of the province of Alberta and the archdiocese that the clearance certificate was not absolutely necessary to proceed forward as there did not appear to be any remaining complexities from the dissolution of the order and the transfer of the value of the property and so on to the Edmonton archdiocese.

10:10

So now here we are today, doing the final act – and I think we should recognize that – with regard to the Precious Bloods in the city of Edmonton. They have been a part of the community. They are certainly recognized in the Catholic community and the archdiocese of Edmonton as a part of our history, a part of how the Catholic church has contributed to the well-being of the province of Alberta. We want to take this final moment to acknowledge and to show our respect for a significant number of women who committed their lives to devotion to others, which is, you know, a choice which is commended to us all, to consider how we make choices in our lives to better the lives of others, even if it means that we ourselves give up some of the trappings of the modern world that sometimes we overly pursue in an attempt to achieve happiness when happiness does not reside in our possessions but, rather, in our deeds and what we give to the world, not what we take from the world.

Having arrived at this moment, I would like to thank The Sisters of the Precious Blood for all of their work, I'd like to thank the archdiocese for their support and their work in taking over some of the facilities and continuing the work of training priests for the Catholic church in Edmonton, and I would ask all members of the House to join us in saying thank you as we bring this final moment of closure to this order.

Thank you.

The Speaker: Thank you, hon. member.

It seems that in that final act there truly is power in the blood; they've brought the House together this morning. I appreciate that. I appreciate that very much.

Hon. members, are there others wishing to speak to second reading?

Seeing none, I am prepared to call on the hon. Member for Peace River to close debate. The hon. member, if he chooses to do so.

Mr. Williams: Well, thank you, Mr. Speaker. I have nothing more to add after the speech from my hon. friend across the aisle. I want to encourage the Chamber to vote in support of second reading so we can proceed with the process and continue on and thank the sisters for all the work they have done.

Thank you, Mr. Speaker.

[Motion carried; Bill Pr. 1 read a second time]

Government Bills and Orders Second Reading

Bill 47

Ensuring Safety and Cutting Red Tape Act, 2020

Ms Hoffman moved that the motion for second reading of Bill 47, Ensuring Safety and Cutting Red Tape Act, 2020, be amended by deleting all of the words after “that” and substituting the following:

Bill 47, Ensuring Safety and Cutting Red Tape Act, 2020, be not now read a second time because the Assembly is of the view that the proposed legislation will not ensure the safety of workers in Alberta, and therefore additional consultation is required.

[Adjourned debate on the amendment November 30: Mr. Shepherd]

The Speaker: Hon. members, we are on amendment RA1 as proposed by the hon. Member for Edmonton-Glenora. Is there anyone else wishing to speak to the amendment? The hon. Member for Edmonton-Mill Woods has the call.

Ms Gray: Thank you very much, Mr. Speaker. It's a pleasure to rise this morning to enter into debate on Bill 47, the Ensuring Safety and Cutting Red Tape Act. I've had the opportunity to speak at second reading before and, at that point, I hope made very clear that Bill 47 absolutely does not have my support, particularly now at the time, the place we are in, in the middle of a pandemic.

This bill moves forward on reducing safety for workers and, when a worker is injured or, tragically, killed on a work site, reducing compensation for that worker and their families. Particularly given the moment that we are in, the challenges our province is facing, that the government is moving forward with this piece of legislation now, having consulted during a pandemic, when we know Albertans were otherwise occupied with basic survival, Maslow's hierarchy of needs, “What is the government changing with workers' compensation?” is probably not at the top of Albertans' minds right now, but it will have direct impacts on so many of their lives. We have each of us heard stories as MLAs because our offices often get contacted around workers' compensation claim concerns.

Of course, those who were a member of the last Legislative Assembly will know that significant work was done to study the Workers' Compensation Board for the first time in 30 years and to bring in the first significant changes to the system to do some very, very important work at the end result of a very, very intense and in-depth consultation. So in speaking to this reasoned amendment, that we have before us, I will simply say that the reasoned amendment absolutely has my full support.

In entering into the debate this morning, I would like to focus – although Bill 47, being an omnibus piece of legislation, very sweeping, touches on a number of things, in previous responses to this piece of legislation I have focused on the occupational health and safety critical right, the right to refuse. This morning I'd like to focus on the workers' compensation side of this piece of legislation because the impacts that the changes to the WCB will have will directly affect Alberta families, will directly affect injured workers and their families, and will directly affect lost workers, workers lost because they are killed due to a workplace incident or as the result of a workplace-related occupational disease. We need to make sure that Albertans understand what's happening in this important piece of legislation.

Let's start at the beginning of a workers' compensation claim, that is somebody simply applying and filing for WCB when they have been injured in the workplace. I will be very blunt with you, Mr. Speaker. Alberta has a reputation as a province that hasn't had a good culture around workplace health and safety when it comes to WCB claims. There's been a lot of research, anecdotes, analysis about the practice of claim suppression, which is employers or industries discouraging WCB claims because of the impacts to the bottom line. If a particular industry or sector or employer has a number of WCB claims, that is an indicator that there are higher costs, higher safety issues, and that impacts directly the WCB fees, the payments that employers put in.

The reason that in Alberta there's been a lot of discussion around claim suppression is because in certain types of industries, in certain work sites, workers have literally been injured and then been told by employers or other colleagues: oh, you really shouldn't file that claim because you will get a black mark on your record. I have spoken to workers in our oil and gas sector who, following a WCB claim, had lost their employment.

Now, let's be very, very clear. Workers' compensation is a support that is valued by workers and by employers, that is there to make sure that workers are kept whole while they get the rehabilitation and the support that they need. It is a benefit to both workers and employers. On the employee side it means that that worker is getting the support they need and that they'll be able to come back to the job site healthy and whole, hopefully getting back to productivity. It's a benefit for employers because it also means that worker will not be filing a lawsuit against their employer and trying to, through the court systems, get the remuneration that they believe they are entitled to. That's what the workers' compensation system is there to do, and it's incredibly important.

In the review in 2017 on that claim suppression aspect and people being told "Oh, you really shouldn't file that workers' compensation claim because when you are healthy, whole, and return to work, you will then lose your job," the recommendation from the panel was that we needed to make sure there was a very clear obligation to reinstate workers, that employers have a legal obligation to make sure that a worker, once injured and back onto the workforce, cannot be summarily dismissed or otherwise punished because of their workers' compensation claim.

Here in Bill 47 we see the UCP government eliminating the requirement for employers to reinstate injured workers once they're ready to return. This is a huge change that damages not just an individual worker's situation but the culture around workplace health and safety and claims made to workers' compensation. It means that a worker who has been branded as a troublemaker or a black mark or somebody who has used that claims system can be made an example of and be terminated without the employer suffering any repercussions, allowing a culture of claim suppression to continue. This is incredibly tragic.

10:20

It absolutely should not fall to the human rights system for a worker to have to now seek out a lawyer and enter into a multiyear process to fight for their right to be able to continue to do their job because it was through no fault of their own that they got injured on a work site. This is basic common sense to me and, I think, to many Albertans. We knew, through the detailed panel review process that our government undertook, that nobody thought it made sense that workers would have to go through the Human Rights Commission in order to fight these situations where someone has been unfairly terminated and it was a direct result of them using the workers' compensation system, that is there for their benefit.

We also know that the majority of employers have absolutely no problems with reinstating workers after an injury. Now, that's not a reason to take this clause out. Ninety per cent of the time workers are reinstated and reincorporated back onto their workplace, usually doing the previous job again, sometimes modified duties. This is great. This is a good thing 90 per cent of the time. Love it. That 10 per cent of the time, where the system doesn't work and when workers are not reinstated, is a significant problem. When workers' compensation does not work, it ruins lives. People lose their houses. People end up on employment insurance potentially. People end up on income supports, the provincial program. That means that the challenges that are created when a bad employer takes someone who's been off on WCB and terminates them then falls onto

taxpayers to be the safety net, and that's not the way the system should be working.

Making sure that employers follow their obligation to reinstate and that they do that without having to incorporate a two-year human rights process makes sense in the system, and to take that out here in Bill 47 is shameful and does not meet any policy objective that I know of. I believe that the government put forward in their reasoning for this that they were removing duplication. This is part of their cutting red tape. The impacts of this is that workers are going to end up in incredibly difficult situations. They are going to find themselves with no employment, having just come off a particular injury, and this is devastating. Devastating.

The government in its own worksheets – and I've just flipped through them to track it down – in their defence for this simply says:

Employers will not be legally obligated to reinstate an injured worker. Employers may voluntarily reinstate an injured worker and more than 90 per cent of injured workers were reinstated . . .

Again, that's a great thing. I'm not worried about that 90 per cent. I'm worried about the 10 per cent that this is leaving out. It says:

Employers have a duty to accommodate disabled workers through human rights legislation [and] . . . a duty to cooperate in an injured worker's early and safe return to work.

But then it does not provide them with that protection through the legislation. Instead, it removes it and leaves that up to the Human Rights Commission. That's not okay. That's not good enough. This will devastate injured workers. This will contribute to a culture of claim suppression. This is scandalous, and it's happening during a pandemic. There is no good policy rationale even when I go to the government's own documents on this particular piece.

I will just quickly repeat myself to say that this is an omnibus piece of legislation. I've now spent 10 minutes talking about one tiny piece in the WCB section that is going to hurt workers and devastate families, that we know is going to bring us back to a place that was a problem before. This was a huge issue when we did the consultations, and the fact that this has been moved backwards is going to be terrible for a number of families.

To all of my hon. colleagues in this Chamber: I think you know how many WCB claims we all receive through our offices, people calling to get help. I would suggest to the government members that when someone comes to you and says, "I got fired," you will be the one who tells them, "Well, your only recourse is the Human Rights Commission because our government took the obligation to reinstate out of the legislation." I'm not sure if all of my colleagues have processed that you and/or your staff may be the ones to deliver this message to a worker in your constituency who is not able to continue their employment because they're being told they need to make a human rights complaint now. It makes a real difference. This will hurt workers. That is one piece I want to talk about.

I want to talk about a second piece. A worker makes a claim. It goes onto the workers' compensation system, so it gets some salary support, starts to get them rehabilitation. Another piece in Bill 47 is that it actually removes the obligation for employers to continue to pay that worker's health benefits. Wait a minute. Okay. The claim has been approved. They have a legitimate workplace injury that somebody got because they got up in the morning and they went to work. Now health benefits, which not only support that worker but that worker's entire family potentially – I certainly know families, constituents where only one member of the family has those employer-provided health benefits. Well, now those health benefits are going to be cut off.

This is going to have a huge impact. Now, through no fault of that injured worker, they're not going to be able to afford, potentially, the dental care that their teenager with braces needs.

The financial impact of this can be significant depending on the unique circumstances of that Albertan's life. We all know that there are many people who have ongoing medical or health concerns that have costs associated with it, that employer benefits often help with. To remove these employer benefits means that the worker is actually going to suffer a loss of benefits because they got injured at work. That is counter to the principles behind the workers' compensation system, and I have not seen from this government a good policy rationale.

The workers' compensation system is supposed to be to help compensate injured workers. A worker who's been injured at work should not be punished. They should be helped, served, made whole. They should get the services they need to get back to work. They should be helped to get back to work. Removing health benefits during that time so that perhaps their kids' braces can't get started: this does not make sense.

Why is it being done? I imagine this is one of the millions of dollars in employer savings that Bill 47 purports to bring forward, but I would ask: at what cost? The cost is going to be to individual workers, to your constituents who have been injured and then find themselves cut off from their health benefits, which is a completely unrelated thing from the compensation and the support that they get through rehabilitation, supports, and the other good work that workers' compensation does. This is a significant cost to workers.

The Speaker: Standing Order 29(2)(a) is available if anyone has a brief question or comment. I see the hon. Member for Edmonton-Gold Bar has risen.

Mr. Schmidt: Thank you, Mr. Speaker. I appreciate the opportunity to address some of the comments made by my friend from Edmonton-Mill Woods. Let me just first say that, of course, the Member for Edmonton-Mill Woods has demonstrated an excellent grasp of this legislation even though it's hundreds of pages long and intentionally designed to overwhelm members with substantive changes so that we can't – you know, the intent is so that we can't mount a credible fight back against this kind of legislation.

I think members opposite fail to just appreciate how well the Member for Edmonton-Mill Woods understands this file, how quickly she can come to grips with the changes that are being proposed here, and how effectively she can argue against it. We got a little bit of a taste of that this morning in her comments, but certainly I can assure all members of the Chamber that there is probably nobody in this Legislature who understands the workers' compensation system and the occupational health and safety system to the extent that my friend from Edmonton-Mill Woods does. I recall detailed, lengthy discussions on changes to workers' compensation and occupational health and safety and employment standards that our government engaged in.

10:30

You know, Mr. Speaker, I don't think that there is enough praise out there that can be given to the Member for Edmonton-Mill Woods for the amount of work that she did to improve those systems and, you know, drag Alberta into the 20th century; even though it was the beginning of the 21st century, at least drag Alberta into the 20th century when it came to employment standards, workers' compensation legislation, and occupational health and safety legislation.

You know, I would dare say that she's long been one of the hardest working members of our caucus. She was certainly one of the hardest working members of the Notley... the Member for Edmonton-Strathcona – don't panic, Mr. Speaker. I just drop those in there occasionally just to see if you're paying attention, and you

always are. I can't get anything by you. She was certainly one of the hardest working members of our cabinet when we were in government and made significant changes, and working people in Alberta owe her a significant debt of gratitude for the changes that she made.

I can only imagine, you know, how upset – I mean, it is upsetting for me. People ask me this all the time, what it's like to see this wrecking crew here of a government undo the things that we did as government, and I'm just wondering if the Member for Edmonton-Mill Woods can share perhaps some of the feelings that she has seeing this work being undone, what she fears that the experience of her constituents will be, and maybe if she's heard from any of the constituents or any of the people who will be impacted by this, what they fear will be the negative impacts from these really terrible and destructive decisions that the so-called government of Alberta is engaging in with this bill.

Ms Gray: Thank you to the Member for Edmonton-Gold Bar for the kind words and the question. I've heard directly from injured workers around the discontinuation of those health benefits that I was talking about, because those health benefits often contribute to workers being able to return to work successfully. Health benefits include things like massage, chiropractic work, different types of supports that can and should be part of that return-to-work plan and that the UCP government through Bill 47 is taking away that obligation to reinstate. It's taking away that obligation to continue benefits in the middle of a pandemic, when Albertans are not even able to and shouldn't be expected to tune in to the Alberta Legislature debates to see: is the government doing something that will negatively impact me and my family in the future? That, to me, is incredibly frustrating, especially because the work in 2017 that went into the first set of changes was so robust and so comprehensive, and this consultation was not.

The Speaker: Hon. members, that concludes the time allotted for 29(2)(a).

Is there anyone else wishing to speak? I see the hon. Member for Cardston-Siksika has risen, and he'll be followed by the hon. Member for Edmonton-McClung.

Mr. Schow: Thank you, Mr. Speaker. It's an honour to rise today in this Chamber and speak – I'm very excited to speak – on Bill 47 but will obviously be speaking against this amendment, certainly, following some very high praise from the Member for Edmonton-Gold Bar for the Member for Edmonton-Mill Woods. I suspect that she would know the file quite well being that she was the previous labour minister. While I think that we did disagree on policy and do disagree on policy decisions, we do believe that we have the workers' best interests in mind.

I will say that the Member for Edmonton-Mill Woods was usually a pleasure to speak to when she was in government, but her chief of staff was far less so. As a staffer trying to communicate with her office and getting information was quite difficult. I do specifically remember Bill 30 coming out, and it was a large bill, similar to this bill here, in a sense, and the Member for Edmonton-Gold Bar was suggesting that it's too big to get through, too big to do the research on. I thought that was a bit interesting, given that there were many bills coming from the Member for Edmonton-Mill Woods when she was a minister that were quite large as well, and as a former staffer I can attest to that.

Being that we are talking about the referral amendment, I am happy to discuss this bill. I think there are a number of really good, important pieces in it that address concerns around red tape and also something that is near and dear to my own heart and to the member

sitting right behind me for Leduc-Beaumont, which is the heroes fund.

Let's talk about Bill 47 and how it cuts unnecessary red tape, Mr. Speaker. I'm pleased with the Minister of Labour and Immigration for introducing this important piece of legislation because it is a big issue that Albertans have dealt with in our province for a while. Job creators and employees have been burned by the unnecessary red tape created by the previous government. The current minister has actually talked to hard-working Albertans and job creators to get to the root of the issue with the current legislation and why it's causing problems.

A big issue was the red tape in the OH and S Act and WCA that caused confusion and redundancies. Occupational health and safety laws are put in place so that employees know their rights in the workplace. The laws keeping employees safe in workplaces have to keep to a certain standard of safety. For example, this means providing employees with the proper and necessary PPE in order to safely do their job. For those who don't know what PPE is, that's personal protective equipment. But with the current OH and S regulations these items weren't easily understood by employees and everyday Albertans. The changes that Bill 47 makes will ensure that safety laws are easier to understand and follow in order to continue to protect workers, which is, of course, paramount for this government.

Other changes will modernize the OH and S Act such as changes to the radiation safety act, an act that has not been updated since 1985, two years after I was born. That is a long time; dating myself a little bit there. As a modern province we need to modernize legislation to ensure that workers are, again, safe. Radiation protection laws will be incorporated into the OH and S Act to provide clarity for job creators and employees. Modernizing the 35-year-old radiation laws will ensure that they align with the latest workplace health and safety standards.

Now, Mr. Speaker, every workplace in Alberta is unique, and prescriptive laws and rules are not going to work at every work site. Another wonderful change in this bill that we have to the OH and S Act is that it will be more outcome based. This means that job creators and workers can implement practices into their workplace that achieve positive health and safety outcomes. I'm certain that these changes to the OH and S Act will be very positive for Albertans' safety and their workplaces.

Mr. Speaker, this bill also fulfills another campaign promise, which was enacting the heroes fund, something I referenced earlier on in this speech. Brave and hard-working first responders risk their lives every day in order to protect Albertans. Firefighters brave fire and risk falling buildings. Police risk their lives with the threat of difficult situations such as people shooting at them. Paramedics have to deal with all sorts of people when trying to save their lives, many of whom could be dangerous. These brave men and women risk their lives in many various ways, which could, sadly, end up in death.

I think it is worth actually noting, though, that while the Member for Edmonton-Mill Woods was minister of labour, she did introduce workplace protection for dispatch callers. I've referenced this before. I thought that that was a really good change in the legislation.

I have actually visited one of the EMS dispatch sites before and seen the hard-working men and women there, at their standing desks or sitting as they work, and recognize that they're getting phone calls from people who are likely having the worst day of their lives. I asked that question. I said, you know: how do people compartmentalize and deal with these kinds of situations? I could only imagine the stress that someone would be going through as they're getting a phone call like this from a distressed citizen, who

is likely utterly helpless or looking for any sort of relief and help from an ambulance or some kind of first responder. That would weigh very heavily on your conscience, and I appreciated the member bringing that forward. I hope that my comments before weren't necessarily a jab at that member but recognizing that we do have differences of opinion, but that was something that was great. I applaud that member for that, when she was minister.

10:40

Between 2010 and 2019 there were 106 first responder fatalities. These men and women are not only risking their lives but also their families' livelihoods. Sometimes these first responders are the sole income earners for their families, so their unexpected death could leave their family unprepared for a difficult situation.

Bill 47 brings this heroes fund to light. It does give these brave men and women's families a one-time, tax-free payment of \$100,000 to eligible families of first responders who pass away as a result of performing their duties. Now, I think it would be a bad place for us to try to put the price on a life, Mr. Speaker. I don't think you can do that. I can only imagine being in a line of work where you put on a uniform and you're not sure if you're coming home that day, and your spouse doesn't know if you're coming home that day or your partner or your children or your friends or your family. It would be a scary place to be.

In fact, I remember doing a ride-along once with police officers in Cardston, what I believe to be a very docile town. I don't think a lot of action happens down there. We did a typical traffic stop with an individual who, I believe, had a wiper out or something in the back, or it had snowed and they didn't uncover all their windows. Sitting in the car as the officer approached the vehicle, I thought to myself: there could be anybody in the front seat of this vehicle. It could be an old lady who just didn't clean off the other half of her windshield, and that's why she got stopped. It could be someone who stole that vehicle and was on their way out of town. It could be anybody. You don't know as a first responder, and that really put things in perspective for me, especially from a police perspective of the risks they take on a daily basis.

You know, I think it's important having this heroes fund in place, and I would be remiss if we didn't vote in favour of this bill solely for supporting the heroes fund. Now, of course, I support this bill for many other reasons, a number of which I've mentioned in this speech thus far. This is a great thing for families, that they don't have to worry about their loved ones, or, rather, maybe it alleviates some of their financial concerns in the event that they do lose a loved one who is working. Families shouldn't have to worry about their finances in these difficult times of grief, Mr. Speaker. I hope that we never have to use this fund for the sake of losing one such wonderful, brave, important life, but I'm glad it is available in case that does occur.

Mr. Speaker, many Albertans have mentioned that the changes that the NDP made in 2018 to the WCA were unnecessary and created a lot of issues for job creators. We listened to Albertans and are addressing areas job creators have identified as driving up system costs, which are affecting the system's future sustainability. In order for a system to work, it must be affordable, sustainable, and efficient. While removing unnecessary barriers to job creation, we need to ensure that we are restoring balance and fairness to the workers' compensation system to meet the needs of workers and job creators now and in the future. By making these necessary changes, we are creating an environment that reduces red tape, that hinders job creation, but also ensures that the workers' safety laws are clear and easily understood by all who are affected.

Mr. Speaker, this bill is an important piece of legislation that I think needs to move forward. I would never presuppose the vote of

the House, but I ask my colleagues in this Chamber on both sides to vote in favour of this bill but vote against this amendment put forth. With that, I will take my seat.

The Speaker: Standing Order 29(2)(a) is available if anyone has a brief question or comment.

Seeing none, the hon. Member for Edmonton-McClung.

Mr. Dach: Thank you, Mr. Speaker. It's a pleasure to rise to speak to the amendment to Bill 47. I once again appreciate the opportunity to reflect on experiences that my family has had with WCB coverage, that is affected, of course, by this Bill 47 as one component of a very large omnibus piece of legislation which seeks to turn back the clock on movement forward into the 21st century that our previous government made by way of legislation, Bill 30, changes to WCB. The elements of this legislation go deep into the heart of what it means to be compassionate in this province, and I think that the word "backwards" really describes exactly what this legislation is doing in terms of caring for workers and showing respect for workers.

Mr. Speaker, I believe that every worker in this province is a hero. That goes to beyond every working person. Everybody deserves the same level of respect as the next, and that should be reflected in our legislation with respect to workers' compensation coverage in this province. The population of the province deserves a government that has its back and truly respects and invests in its people.

I know that there was a very limited consultation process, Mr. Speaker, with respect to this piece of legislation. There were select businesses who were chosen to give comment, and very few workers or labour organizations were consulted.

We as legislators will know that our offices are very often visited by claimants to WCB who are going through very, very difficult times in their lives, and they're having difficulties with the claim they happen to be either processing or appealing. Those are some of the most heart-wrenching stories that a person would ever hear that we hear from people who are involved with the WCB process. To make the process more difficult and to make the benefits less beneficial is horrendous. The fact that an individual who's gone to work and has suffered an injury will be suffering further with diminished benefits and diminished compensation is something that this government will be responsible for should this legislation pass. I think that members who really, truly want to have the interests of working people in this province supported should support this amendment to Bill 47 to ensure that there is additional consultation that takes place.

I note that as far as consultation goes, out of a total of 95 submissions, 18 per cent were from workers while 69 of them were representing employers or employer groups. Now, the government likes to say that they're bringing back balance to legislation, and that's one of their claims with this piece of legislation as well. However, if you look at the consultation that took place for this bill, balance is the farthest thing from reality that took place: 18 per cent from workers, 69 out of 95 were talking for employers. It doesn't seem like due diligence was done in this case. In fact, I claim that it was not done in this case, Mr. Speaker.

We'll be fighting on behalf of workers for benefits from WCB that were reflected in our legislation, Bill 30, when we were in government. This piece of legislation, Bill 47, turns back the clock on many of those changes and is a very heartless attack on working people. You know, the government will get up and claim that they are for the people, that they have workers' backs, that they are very compassionate, yet they'll do things with the implementation of Bill

47 that are very hurtful. It removes protections for workers, both in compensation and, Mr. Speaker, in safety at work.

I know that, you know, whether it's a claimant that's coming into our office or whether it's a family experience that members opposite or even members on this side may have had, these stories are heart-wrenching. When somebody is injured at work or killed, it's a devastating blow to their family and to their co-workers and to the owners and managers of the business as well. It's not something that leaves anybody unaffected. Yet, to make that worker whole, to bring back to a place of stability, to allow that worker to become re-employable, whether in that same field or another field, depending upon the severity of the injury, Mr. Speaker, is something that should be done with the highest level of compassion reflected in the legislation that governs workers' compensation benefits.

10:50

This legislation does the exact opposite, Mr. Speaker. It's something, I believe, that the people of this province, once they really get a handle on what this does, will be abhorred about. The heartless measures include workers receiving less compensation for losses through the implementation of a cap on their benefits and the removal of the requirement for an employer to continue to pay health benefits for one year following an accident. Not only is an individual who is injured suffering from the injury – they may be on WCB benefits – but they have to pay out of those benefits their health benefits for a year following the accident. Adding insult to injury is what this piece of legislation does.

It further goes on to limit the presumptive PTSD. Whereas now the legislation allows somebody in certain circumstances to have PTSD added to the claim presumptively, the onus will be on the claimant to verify and prove. Believe me, there's a wall of difficulty put in front of an individual trying to make that claim of PTSD successfully. This legislation also removes the right to compensation of wages during a work-stop order, another insult to injury to workers. It changes the definition of what is an occupational disease to narrow the applicability of these clauses. That, indeed, is something that, once again, makes the claim much more difficult and restricts the compensation that ultimately results because more of the claims won't be successful because there is a wall that goes up as a result of these restrictions to what is an occupational disease.

I think that we've gone a long way in many areas. The hon. member across the way just recently mentioned the heroes act component of the changes. Certainly, presumptive diseases for first responders is something that we've gone a long way in this province to implement. Presumptive acceptance of certain claims for firefighters and first responders of different kinds have made life easier for those first responders who were injured. But other workers, Mr. Speaker, deserve the same respect and the same assumptions that the first responders have with respect to presumptive diseases. Removing this from claimants is a very disrespectful and heartless move, I would say. It's something that Albertans will reject.

I think the government puts itself at risk with some of these moves. It certainly runs contrary to the claims of the government that they have the interests of workers and Albertans at heart because it is contrary to the workers' interests to implement most of these measures in Bill 47. I can't think of a piece of legislation, Mr. Speaker, that I would more fundamentally oppose than Bill 47, and that's why it should be sent back for more consultation. It should not be passed now. It should be removed and, to ensure the safety of Alberta workers, definitely be subjected to a much wider consultation process so that Albertans can fully understand exactly

what the government is up to in stripping away protections for workers in this piece of legislation.

One particular measure that I find particularly worrisome and troublesome is that it makes it voluntary for an employer to reinstate an injured worker. It brings to mind my own family history, once again, whereby after my father's injury he was off work for two years. We were supported by WCB, marginally, for two years, a family of six kids. We struggled to get by with the help of other family members and so forth.

My father ended up wearing a brace on one boot that went up to just below his knee because of a crushed ankle that was fused and a broken leg after a fall from scaffolding that was unsecured. Had he not been able to be reinstated by his employer after that injury, I fear, Mr. Speaker, that he may have never been able to re-enter the field of construction supervision that he was working in when he was injured. Of course, the brace on his foot was fairly heavy with the boot. It confounded me as to how he continued on for many more years in that field, climbing ladders and working on unstable ground and using shovels. He was an amazing man with a strong, strong will.

But had he not had the ability to have his employer required to take him back subject to certain, you know, abilities on his part to show that he could do the work, any other employer might have just simply dismissed him out of hand upon application seeing that he had a heavy brace on one boot that went almost up to his knee. Therefore, all those decades of experience would have gone astray, wouldn't have been able to enter that high-paying field that he was in in a good-paying union company to build things like the Bonnie Doon swimming pool and many schools in this community of Edmonton. That intelligence that he applied to all his work would have been lost because of a measure that this government wants to implement, making it voluntary for an employer to rehire a worker and to reinstate an injured worker. That, Mr. Speaker, I think is discriminatory at its heart, and it speaks to a disregard for the abilities over the disability of somebody. The strongest example of that is, of course, the one I just mentioned about my father's case.

I can see it happening for any number of reasons, an employer given an opportunity to not reinstate an employee who's brought forward a successful claim, who is looking to be re-employed and rejoin the workforce. Making this voluntary, Mr. Speaker, is a free card to the employer to perhaps avoid whatever costs or accommodations that employer might feel will be necessary to reinstate the worker. It's an onus, I believe, on the employer that is not onerous. It's a responsibility as an employer to look to reinstate that worker who, through no fault of their own, was injured on the job and has gone through a period of rehabilitation under workers' compensation and now has to be considered for reinstatement. To not be considered is surely a slight against them.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. I see the hon. Member for Lethbridge-West is rising with a brief question or comment for the member.

Ms Phillips: Well, thank you, Mr. Speaker, and thank you to the hon. Member for Edmonton-McClung for providing his comments. I know that the hon. member has been, even in these pandemic times, out and about, perhaps more in a metaphorical sense than a literal sense, around the province talking to people across the province, in particular in a couple of different sectors, obviously in the agricultural sector, but also folks who work in the forestry sector and in particular in fire suppression. I know he has had many conversations with the rappel firefighters on the nature of their work, dangerous as it is, and the value of the work.

11:00

Certainly, you know, on the issues related to occupational disease, we have heard many, many times from structural firefighters over the years. The IAFF engaged with our government to a great degree. They made some very substantive interventions with respect to the issue of presumptive coverage and changes that, ultimately, we brought forward under the able leadership of the hon. Member for Edmonton-Mill Woods.

[Mr. Hanson in the chair]

Having said that, those occupations remain dangerous not simply because one is quite literally dangling from a helicopter, Mr. Speaker, in the middle of a fire but also because of the various contaminants to which one is exposed, the various air quality concerns, and so on and so forth.

Given that we are talking about the need to move forward with more conversation around this bill and its effects, particularly for working-class people in all kinds of different occupations, I'm wondering if the hon. Member for Edmonton-McClung can talk a little about his engagement with firefighters or others who have expressed concerns about the direction that this government is going both in its budgetary decisions and its programmatic decisions but also its overall respect for these folks doing this kind of work with the changes that are being proposed in this bill.

The Acting Speaker: Thank you, Member.

You have just over two minutes.

Mr. Dach: Thank you, Mr. Speaker. I'd be pleased to respond and add further comments alluded to by the Member for Lethbridge-West. I know that I was getting to some of the topics that she was speaking about with respect to certain industry sectors. Of course, agriculture and forestry are pretty close to my heart, given that I'm a critic for that portfolio, and there are others as well.

Agriculture and forestry are two industries where we see the most significant numbers of injuries in workplaces. Injuries and deaths take place because that can be dangerous work. I mean, on the agricultural side tractors are one of the most dangerous things, you find, that people can operate, and I think grain augers are probably a close second behind that. We see significant injuries and deaths occur as a result of the operation of equipment on the farm and also in the forest. It's dangerous work, and what we should not be doing is reducing the protection of workers' compensation for workers in these industries.

Further to that is secondary processing, Mr. Speaker, in our meat-packing plants, where the right to refuse unsafe work, the scope of that, is being limited by this legislation, and I do not believe that a worker who feels that inadequate protections are there for safety in terms of protection from COVID-19 inside a workplace is something that they should be denied. They should still be given the right and maintain the right to refuse unsafe work no matter where it happens to be or what the risk happens to be. It's unjustifiable, in my view, for an employer to demand that a worker undergo work safe . . .

The Acting Speaker: Thank you, Member.

Are there any other members wishing to speak to RA1? The Member for St. Albert.

Ms Renaud: Thank you, Mr. Speaker. It's my pleasure to rise to speak to Bill 47, Ensuring Safety and Cutting Red Tape Act, 2020. You know, as my colleague said, this is a huge bill and has had all kinds of things packed into it, so I am happy that we are having multiple opportunities to speak to different pieces that are

certainly quite concerning, and I just wanted to say on the record once again that I do understand that in some pieces of legislation it makes sense to take care of a lot of little things or changes that are being made and to put it into a piece of legislation that might encompass a number of ministries, a number of pieces of legislation.

To continuously do this and to put all kinds of things in here with what I suspect is the goal to shove it through, to shove the changes through, to have so many changes that it is virtually impossible to spend as much time as I think should be paid, should be spent on some of the changes, truly debating the potential risks to the changes, also the potential benefits – just on the record, again, particularly during a pandemic, when people are more than a little distracted, I'm incredibly disappointed that once again this is the MO of this government.

In any event, I'm going to go through some of the areas that I am concerned about, specifically some of those changes related to workers' compensation. Cutting benefits to workers: I have talked about this before. Certainly, this has got to be concerning. Once again it's another piece of UCP legislation that seems so unbalanced, and it seems that the people that are losing out are indeed Alberta workers. As we know, this legislation will bring in a cap on benefits, and that cap goes to the WCB board level, and that board ultimately decides on the overall cap for benefits. Why would the government suggest this is necessary? I'm guessing it's not to improve the situation of Alberta workers or increase their benefits but to actually usher in some reductions.

The next piece that I am obviously concerned about is the obligation to reinstate workers. A number of my colleagues have touched on this, but I think it is that important that I would like to add my own comments. Obviously, this piece of legislation proposes to eliminate the requirement for employers to reinstate injured workers once they're ready to return to work. As my colleague from Edmonton-Mill Woods said, really, you know, the vast majority of employers – I think it was 90 per cent – are willing and able and open to having employees or workers return to work, but it's that 10 per cent, obviously, that we're worried about. Then to turn around and say to that Alberta worker, "You know what? If you are not satisfied with this decision, go to the Human Rights Commission," I think we can all appreciate and understand how stressful that process is. If you've ever supported a constituent through that process, we know that it can take up to two years, and it is certainly not going to answer the question that is immediately posed by the changes made to reinstating workers.

While people are waiting, in addition to if they do actually file a claim with the Human Rights Commission and decide to undergo this long process and wait for two years, what happens to their benefits then? How are they supporting themselves and their families, not to mention the additional loss of health benefits? So what are we doing? We're creating more barriers, and we're creating more inefficiencies.

I've said this before. Apparently, this doesn't seem to make a lot of sense to this government. It seems like they think in election cycles versus the long-term benefit of Albertans. What this does is put a strain on other systems. If you are not supporting a worker who has been injured, whether it's a physical injury, psychological injury of some kind, if you are not supporting that worker and keeping a hold of them through their recovery period so that, you know, they're not losing their skills, they're still in touch, they're still motivated to return to work, there is still that goal to return to work, we're adding pressure on other systems that – day in, day out we hear this government talk about how they're oversubscribed or they're not sustainable or: what about the future?

What this piece of legislation is doing – and you may not even realize it. Maybe it doesn't matter to you, but what this piece of legislation does, Mr. Speaker, is it puts stress on other systems. For example, let's say that you have a worker who is injured at work, whether it's physical or psychological, and there's no obligation to have that worker return. Done: just cut that string off, and off they go. They are not in a position to return to work. They can't find appropriate work. Where do they go? Based on the injury, that might be assured income for the severely handicapped, if indeed that injury is severe enough to meet the criteria. Very often they end up on income support.

11:10

For those of you that don't know, there are two pieces of income support. There's expected to return to work and barriers to employment. Both of those benefits, both of those core benefits, are so far below the poverty line it's ridiculous. The core benefits are under \$900 for an Albertan to try to support themselves. There used to be little supplemental pieces that helped like medical transportation or rent assistance, but those are being summarily removed by this particular government.

We have legislation that proposes to add even more strain and pressure on a social safety net or a social service system that this government is also hell-bent on introducing changes into that would increase sustainability. What we know that means is reductions because by definition this is not a program to be sustained, so there you have it. Instead of focusing on, "Let's do everything we can to make sure that we don't lose touch with those employees so that through their process of rehabilitation they are supported to do everything that they can to return to work" – because let's not lose sight of the fact that they had a lot of skill and ability prior to that injury or even after that injury. It's an investment by employers. They have trained that person. They have mentored, likely. They have supported that person. They have worked with that person. Then that employee was injured through no fault of their own. Now they're being released whereas they should be held onto and supported through that period so, when it is safe and possible to do so, they can return to work.

But, no, this is a piece of legislation that looks at that 10 per cent that we know of employers that typically aren't willing to do this. Now this piece of legislation is going to give them cover to do that. That is absolutely shameful. That's not red tape reduction. That is actually harmful to Alberta workers.

The obligation to continue benefits: I know my colleagues have talked about this at length. It just doesn't even make sense. It doesn't make sense to me except that it is another shell game of: "Oh, lookit, we're changing this. We're saving this. This is going to be great for employers, and the benefits will trickle down." What we know is that those pressures will go elsewhere. If you have an injured worker who has a family, who is trying to survive, who has managed to qualify for income support, living so far below the poverty line that they can't see straight, and now they need coverage, where are they going to look? They're going to look for a subsidized provincial program to pay for that coverage. Once again, it's not solving a problem at all.

Now you have a couple of problems. You have provincial programs that this government continues to say aren't sustainable. This isn't going to help that problem. Then you have another problem where you are actually putting in barriers for employees, for Alberta workers who have been hurt through no fault of their own to, in a dignified way, support themselves and their families while they are being rehabilitated or recuperating. It's just shameful. This isn't about ensuring safety at all. The obligation to continue benefits is just so short sighted, it's not even funny.

Then we have – I have mentioned this before – the Fair Practices Office. The Member for Edmonton-Mill Woods, when she was minister, brought in some changes that I thought were very good. I've said this before as well, that I can't imagine that there's a constituency office in this province that hasn't had to support a constituent through a WCB process of some kind, whether it's a very lengthy one, whether it's understanding even how to start a claim. The Fair Practices Office was a way to provide a little bit of objectivity. At the very least, it was expertise in navigating a system that is really tough to navigate and very time consuming to navigate.

Now, this office, that was working well – I'm sure other members had a visit by this team in 2019, when, it's my understanding, this team was going all around the province to talk about how they could help you support your constituents, which I thought was great. I know that we do a great deal of casework around WCB, but now that, too, has been watered down to the point of ridiculousness so that now we have an officer as opposed to an office, the kind of office that can support all of the constituency casework that we do, not to mention all of the Albertans that need help navigating this system. Now we have one person. Once again, this isn't about making processes easier, more understandable, more beneficial for Albertans at all; this is short-term savings. Really, it's short-term savings for what? To make your bottom line look a little bit better? I just don't even understand this. I don't understand how decisions are made without really looking at: what are the long-term gains and losses? It's just sort of mind-boggling to me.

I wanted to go back to another piece that I find particularly disturbing, around the presumptive coverage. This particular piece of legislation proposes to eliminate this for psychological injuries for the vast majority of workers. Now, thankfully, that doesn't cover all workers. Thankfully, some were left out, were left out in a good way, so that if they are indeed injured in this capacity, they'll be okay; they'll be covered. Those are first responders: firefighters, paramedics, peace officers, correction officers, emergency dispatch, and those kinds of roles or jobs.

Now, that's great, but if this government believes that these are the only sectors and professions that are regularly impacted by psychological injury, you are sadly mistaken. Sadly mistaken. The danger of doing something like this, the danger of removing this kind of targeted coverage, is the loss of potential, is the loss of Albertans, is the loss of Alberta workers. If you think that supporting employees from other sectors isn't worth while, then I honestly don't know what you're doing here. We are supposed to stand up for all Albertans, all Alberta workers, not just some that might perhaps be higher profile.

I always go back to what I know, and that is the disability workers. What I know about disability workers is that the scope of work is massive. It is massive. Sometimes it is very much hands-off, it's very much instructional, it's very part-time, and sometimes it is very, very intense. It is intense with people that present with very aggressive behaviours or who can be very violent, who are self-injurious in ways that I can't really even describe. To be properly supported is a great thing because you can actually make a lot of progress when you're supporting someone like that, but the chances of injury are there, and it happens.

When people are injured in a psychological way, it is devastating. It is absolutely devastating. But with appropriate intervention – and that means support, and that means therapy, and that means counselling, and sometimes that means medication for a short time. It might mean physical exercise to get through some of the trauma. But if that support isn't there, the damage is lifelong, and the damage is not just lifelong to that person but is a loss to the industry where that Alberta worker can no longer work, it is a loss to the

family that no longer has a person that can contribute to their well-being, and it is a loss to the community. It's a massive loss.

Just like I'm pretty sure that for government members, if anyone ever proposed removing presumptive coverage for, say, somebody like a paramedic or emergency dispatch, we would all agree, like, "That's horrible; you can't do that," because we know the risk. We see it all the time. I think we're able to see it because we know a lot of movies and television. Some of us know those professionals . . .

The Acting Speaker: Thank you, Member.

Standing Order 29(2)(a) is available. I will recognize the Member for Edmonton-Rutherford.

Mr. Feehan: Thank you, Mr. Speaker. I appreciate the opportunity. I was listening to the Member for St. Albert speak, and there are many important things that she has raised here in the House. I certainly share all of the concerns that she has brought forward in a very straightforward and clear manner.

One thing that she did speak about that I, you know, hadn't really reflected on that much before and would love to hear a little bit more about: that is, as we decrease the services and the monies paid out through one system – that is, the WCB system – we're actually increasing the demands on other parts of the system. I find that something that I kind of forgot to reflect on.

11:20

But I find that very interesting, that in this particular case the WCB is actually a creation of private enterprise and that the money that goes into the WCB has been put there, well, initially, if you read back on the early history, to help decrease the number of lawsuits against businesses. It was a decision by businesses to create WCB along with workers in part to ensure workers had benefits come to them. As a result, businesses put money into the WCB, so it's a contribution from businesses. Now if they do not get the services from WCB, it's not like they don't access services at all; simply, they move from having services that are provided through this private-sector creation to the public sector. It means that we're literally transferring costs and expenses away from the private sector, where this whole program originated, to the public sector.

So it's not that this government is decreasing how much money is spent for injured workers but, rather, putting the burden away from the work site that has resulted in the worker having an injury to all the many nonprofit and low-income programs out there that provide services to people. I know that sometimes that might mean AISH, but it certainly means a variety of small nonprofits who are now stepping up to take care of workers who are no longer able to work, to take care of their families, and so on. We've completely shifted the emphasis away from the place where the injuries occurred and the responsibility there to the goodness of people of well-being in the province of Alberta. I'd love to hear this member speak a little bit more about the shift to the nonprofit and to the public sector.

Ms Renaud: Thank you. My friend is quite right. This shift will put enormous pressure on the public sector in a variety of ways. I already talked about, you know, the provincial programs such as AISH and income support. I actually worry that income support will be the one that most go to as more and more it is very difficult to meet AISH criteria and get through that process. But it's not just that. It's just this degradation and loss of ability to support oneself that results in the need for affordable housing. This government has also cut rent subsidies, so there's even more competition for that.

Is there more increased risk without those supports and living in abject poverty with income support? Is there more risk of

homelessness for an individual worker or the workers and their families? I would suggest that, yes, there is. If you don't have savings, if you don't have the means to support yourself, if you don't have, let's say, family even, if you don't have coverage from your employer, if you don't even have health care coverage, you are going to have to look at other programs that are subsidized. That is just going to be the reality. Sadly, you're also going to have to look at nonprofits, which are picking up the slack as government continues to cut benefits that are available to people. That'll be things like longer food bank lines. That is the reality for people that can't support themselves. We put an extraordinary amount of pressure on provincial safety nets in addition to nonprofits, who are continuing to have to fund raise in an environment where so many people have lost their jobs, so many people have lost their ability to support themselves. They can't contribute the normal amounts that they would to nonprofits and charities, so they're stressed, in addition to the cuts to grants that these nonprofits used to apply for. So it is this vicious circle . . .

The Acting Speaker: Thank you, Member.

Are there any other members wishing to speak to RA1? I'll recognize the Member for Edmonton-Gold Bar.

Mr. Schmidt: Thank you, Mr. Speaker. I'm pleased to rise and offer a few comments on this amendment that we're considering to Bill 47, Ensuring Safety and Cutting Red Tape Act, 2020. It's on the title that I want to make a few comments. Members opposite have talked long and loud about the need to reduce red tape. I would suggest to all members of the government that if they are really intent on reducing red tape, the best thing that they can do right now is to get the COVID pandemic under control. We can only just look around the Chamber as to the kind of red tape that we have to live with, masks on our faces while we're sitting and moving around the building.

I don't have to tell anybody else the kind of restrictions that are in place in workplaces. I'm thinking of continuing care workplace red tape, single-site workplace requirements, the kind of additional PPE requirements that any sort of health care worker has to meet on any given day to keep themselves safe. I look at the requirements that restaurant owners have to look at, you know, limiting their capacity, limiting who can sit where and with whom. Looking at the schools, my kids can't get out of their desks all day while they're sitting in school. Teachers have to move around, have additional workplace requirements put on them because they don't have the resources that they need to adequately deal with the pandemic. I can go on and on, Mr. Speaker.

I think it's helpful for members perhaps to look at the example of Australia. I could point to New Zealand, but of course members opposite would say: well, New Zealand is under socialist control, so that's not a valid comparator. I will remind the members opposite that Australia is not under socialist control. In fact, the federal government currently in place in Australia is an ideological fellow-traveller of the federal Conservatives, so much so, Mr. Speaker, that Prime Minister Harper and the former Prime Minister of Australia even copied each other's speeches. That's how closely ideologically aligned the members opposite are or should be with the members who currently comprise the federal government in Australia, yet they have taken an extremely different approach to managing COVID.

It's a tremendous success. I was just looking at the COVID cases that were reported in Australia, Mr. Speaker, and I was astounded to see that nation-wide – and I might remind members that Australia is a nation of about 30 million people – in Australia yesterday they reported eight new cases of COVID. Eight. Compare that to the

1,733. We had more people die of COVID yesterday in this province than there were new cases reported in the entire nation of Australia because they have managed to successfully get the pandemic under control, unlike what these members do.

With respect to what that's done to red tape in that country, I have friends who tell me that they can wander around the streets freely, no mask on their faces, no crowd control measures. There are no Plexiglas barriers in any stores that they go into. They can freely enter and leave restaurants as they please. In fact, Mr. Speaker . . .

Mr. Schow: Point of order, Mr. Speaker.

Mr. Schmidt: Oh, give me a break.

The Acting Speaker: A point of order has been called by the Member for Cardston-Siksika.

Point of Order Relevance

Mr. Schow: I rise under 23(b)(i), "speaks to matters other than [those] under discussion." We are talking about Bill 47 and labour work. Yeah. The member said the words "red tape" as if to just, like, throw that in like a buzzword in his speech, but we are talking . . . [interjection] I do have the floor, Mr. Speaker. I'm certainly willing to hear the members opposite in their rebuttal to my point of order, but if we could be shown a little bit of decorum in this Chamber for even a moment from the Member for Edmonton-Gold Bar, that'd be excellent.

We have now been listening to that member's speech for quite some time. I've heard nothing about red tape reduction. I've heard nothing about Bill 47. I've heard a lot about Australia and COVID response and this province's response to the COVID pandemic. Maybe it might be worth getting back on track and reining it in, so I ask that member to tighten it up a little bit for once.

The Acting Speaker: Thank you, Member.

I'll recognize the Member for Edmonton-Mill Woods.

Ms Gray: Thank you very much, Mr. Speaker. This is not a point of order. The member who just spoke has obviously got a very short temper and short attention span because the Member for Edmonton-Gold Bar has only just begun his remarks and has already referred to Bill 47 and is using the umbrella of Bill 47, which is this government's own oft-repeated mandate of red tape reduction. Truly, we are less than 10 minutes into this response. I do not believe this is a point of order although the member opposite argued quite ferociously that he knows exactly how you will rule, Mr. Speaker, which I find also slightly disrespectful, so I will leave it to you to weigh in on this.

11:30

The Acting Speaker: Thank you very much, members.

Any other input?

Seeing none, I'm prepared to rule on it. I don't see a point of order here – sorry, Member for Cardston-Siksika – but I would caution the member. We are on the reasoned amendment on Bill 47. There's plenty of information in Bill 47 for hours and hours of debate, which we have shown here. I would ask you to please get back onto the reasoned amendment and try to stick to that topic.

Thank you.

Debate Continued

Mr. Schmidt: Well, thank you, Mr. Speaker, for your wise ruling. I think the intervention from the Member for Cardston-Siksika just

goes to serve my point that we've never ever reached a clear definition of what constitutes red tape in this Chamber. This is not the first time that we've had a bill with the term "red tape" introduced in the Legislature, and of course we've always argued that what they consider red tape, we consider important worker protections and safety regulations.

The Member for Cardston-Siksika getting up and saying that what's going on in Australia is not relevant just clearly indicates that the definition of red tape is rules that the government doesn't like and wants to get rid of, and it has nothing to do with actually making people's lives easier and more efficient. As I was saying, Mr. Speaker, there's almost no red tape when it comes to living your life on a daily basis in Australia right now. I saw pictures the other day of stadiums filled with tens of thousands of people watching athletes rip each other's ears off in Australian-rules football or rugby or whatever it was – I don't know what the difference is, to be honest – but we can't even gather in our own homes anymore. I can't invite friends over anymore. If the members opposite were serious about reducing red tape, as they vociferously claim that they would do, that's the kind of thing that we would see.

Moreover, to the point of the bill, Mr. Speaker, I've been honoured to be a member of this House since 2015. I ran, though, in the 2012 election, so I've been running campaigns. I've run in three election campaigns in the constituency of Edmonton-Gold Bar, and in that time I've knocked on almost every door in the constituency multiple times over. I can tell you that from the very first day that I started door-knocking, the number one thing that I heard from my constituents was complaints about the existing Workers' Compensation Board. In fact, shortly after I started campaigning for this position, somebody who was treated so poorly by the Workers' Compensation Board actually walked into the building just down the street from us and tried to shoot up the place. That's the state that the Workers' Compensation Board was in when we took over government in 2015. Obviously, the members opposite have short memories because they're intent on returning to that state of affairs.

It's incredibly disturbing to me to knock on the door of somebody who has been put through the wringer by the workers' compensation system in this province. I'm sure we've all had this experience, and I'm sure that my experience is probably not that different from anybody else's. You knock on somebody's door. They are desperate to share their stories about how challenging it is to deal with the workers' compensation system in this province. It doesn't matter how long ago they were injured. Whether it was six months ago, six years ago, six decades ago, they have memorized the entire timeline of their dealings with the Workers' Compensation Board ever since the day they were injured, and they can run you through every single communication that they've had with the Workers' Compensation Board, their member of the Legislature, anybody else who will lend them an ear because it's so difficult to get fair treatment from that organization, or at least it was until we changed the system in 2017.

In fact, I don't claim to be a special case, but I remember when I was first elected, in 2015, the Workers' Compensation Board called all of our constituency assistants into their office to give them a rundown of how they deal with complaints and try to create relationships because they knew that we were going to be having a lot of dealings with people who had trouble with the workers' compensation system.

On that day the people at the Workers' Compensation Board took my constituency assistant aside, and I think they took my friend from Edmonton-Decore's constituency assistant, too. They singled out our two offices, and they said: you two have more workers' compensation complaints than, certainly, any other constituency in

Edmonton and almost any other constituency in the province. I've lost track, Mr. Speaker, between 2015 and 2017, when we made changes to the workers' compensation system, of how many hours my two staff spent dealing with workers' compensation system complaints altogether. It consumed so much of their time. It's time well spent. I don't want to imply that that time wasn't valuable, but it's incredibly frustrating for both the person contacting my office and my staff to continually have to go back and forth between the office and the complainant and not get anywhere. That was the experience that they had.

In 2017, though, my friend from Edmonton-Mill Woods made extensive changes to the workers' compensation system, setting up one of the most significant changes, the establishment of the Fair Practices Office. That was the nature of the bulk of the complaints that we received in our office, an unfair appeals process. When people felt that they hadn't been dealt with fairly at workers' compensation, they had nowhere to turn to other than the person that they dealt with, who would change their hat to – I don't know what the title is – appeals officer, right? It was pretty much the same person that they went to, more or less. We changed that system. You know how many workers' compensation complaints my office dealt with between 2017 and 2019, when we were up for election again, Mr. Speaker?

Mr. Dach: How many?

Mr. Schmidt: Zero. We dropped from having the most workers' compensation complaints in the entire province, more or less, to none. That's how effective the system that our government put in place was in treating workers fairly. It's incredibly distressing to me and distressing to my constituents that we're taking a giant step backward in this bill, that we're going to be returning to the old system in place that was so demeaning, so demoralizing, so humiliating that people were pushed to the point where they felt that they had no other option but to walk into that building just down the street from us and try to shoot it up. I cannot wrap my head around what would possess any government to look at the system that we had in place for workers' compensation before we made those changes and say: "You know what? We should go back to that."

I appreciate that many of the members here in the Chamber don't have that experience with their constituents. They were elected for the first time in 2019, and because the system was working so well, they probably haven't been contacted by nearly as many people as we were in the run-up to the changes that we made in 2017. But that's not true for all of them, Mr. Speaker. I know that you, for one, were elected in 2015, and there are other members of this Chamber, members of the government caucus, who had that experience. I don't know why they didn't listen to them, and I certainly hope that members like you and all of those other members who are going to be dealing with that are at least given some pretty convincing talking points from the Premier's office or whoever is in charge of this so that, you know, your poor beleaguered staff can make it through a day. I can tell you that it's going to be an avalanche of complaints again into all of our constituency offices. I think that my friend from Edmonton-Mill Woods stated as much in her comments earlier this morning, that members here haven't really wrapped their heads around the kinds of problems that are going to be coming into their offices now because of these changes. Mr. Speaker, you know, it's the changes to the Fair Practices Offices that's one of many, many things that I'm concerned about.

11:40

I'm also incredibly concerned about this ability now that the Workers' Compensation Board will be giving itself to reduce or

suspend compensation, and according to the changes that are made, it's unclear as to whether or not or what the conditions are that the board will make the decision to reduce or suspend compensation, but it could be that the person who has been injured is deemed to be unco-operative, Mr. Speaker. Well, let me tell you the kinds of things that were deemed to be unco-operative prior to us changing the system. I remember clearly sitting down with somebody, a woman who was injured on the job. She was told by the Workers' Compensation Board what kind of job training and rehabilitation she had to take, and when she said, "No. You know what? That's not really who I am. That's not anywhere related to the kind of work that I'm doing. Could I potentially have some other kind of support to receive some other kind of training?" they said no. They didn't provide any reasons why. They didn't have to. Workers' Compensation holds all of the control in these cases, and they just summarily said: no; either you take this kind of training, or we'll cut you off from your workers' compensation benefits. That's the kind of system that this government is reintroducing.

Now, you know, I've heard members opposite speak passionately about the dignity of work, and I agree wholeheartedly that people value the kind of work that they do, and it becomes an important part of their self-identity.

The Acting Speaker: Thank you, Member.

Standing Order 29(2)(a) is available. I will recognize the Member for Lethbridge-West.

Ms Phillips: Thank you, Mr. Speaker. The hon. member was just in the middle of some thoughts around the dignity of work and how important it is for people to return to work, to work that has value, to work that contributes to society, after suffering an injury at their place of work. I wonder if the member can talk a little bit about why these changes, hastened through as they are during a pandemic, necessitate a broader conversation around that return to work and around what dignity looks like, and that is why we need to refer this bill.

Mr. Schmidt: Thank you, Mr. Speaker, and I want to thank my friend from Lethbridge-West for that question. You know, to fully develop my thought, of course, we humans derive a great sense of identity from the kind of work that we do, and often these kinds of workplace injuries that people experience on the job mean that they can't go back to the kind of work that they were doing. They've injured their arm or their leg. They've suffered some kind of serious injury that they'll never fully recover from, and they won't be able to go back to doing the kind of work that they were doing. That's not just a physical injury. That's emotional. That is a spiritual injury for which there is probably no compensation, truth be told.

But the very least that we can do is take into consideration the hopes and dreams of the person who was injured so that they can decide for themselves what it is they should do now that they've suffered this life-changing injury. It's incredibly offensive that we would set up a workers' compensation system where they dictate to the injured worker what they're going to do for work after they've been put through this workplace compensation system. I go back to that conversation that I had with the woman a number of years ago. Now, forgive me, Mr. Speaker. I don't recall exactly the kind of work that she was in when she was injured, nor do I recall the kind of work that she wanted to do after she was put through the system, but the fact that her voice wasn't even heard in the process, that the people at workers' compensation wouldn't even take into consideration what her hopes and dreams were for the kind of job that she wanted to do after suffering a life-changing injury is absolutely offensive. Now we're setting up a system where if the

person who's been injured on the job says: "No. You know what? I've always wanted to try" – I don't know – "coding; you know, I'm at the end of the road when it comes to carpentry now because I've suffered this life-changing injury; I'd really like to get into the high-tech sector, and I think coding will be the future for me," well, if the people at the Workers' Compensation Board said: "No;" – I don't know – "your fingers are too stubby; we don't think that you can type on a keyboard; this isn't the kind of appropriate training for you; we think you should go to pursue pottery" or something else that the injured worker hasn't raised, well, under the system that's being set up, that person could be deemed unco-operative and cut off from his benefits.

How's that fair? How does that promote freedom or dignity, the kind of values that we continually hear espoused by the members opposite but fail to actually be expressed in the legislation that they're bringing forward? This is a very clear example, Mr. Speaker. I urge all members to live up to the values that they say that they hold, freedom and dignity of the person, and vote in favour of this amendment. We can't go forward with the Workers' Compensation Act that's being changed as proposed here because it does nothing but dehumanize, demoralize, humiliate the people who have already been physically injured on the job.

Thank you.

The Acting Speaker: Thank you.

Any other members wishing to speak to reasoned amendment 1? The Member for Lethbridge-West.

Ms Phillips: Thank you, Mr. Speaker. I have many, many interventions on this bill, given the experience with the workers' compensation system both in my public life and private life, watching my dad go through a workplace injury. I'm trying to figure out what I want to leave folks with, looking at the clock.

Actually, I'm going to talk about what happened to my dad. My dad was injured on the job, not in this province because he was one of those oil patch workers who would go away for a month, make big bucks, and come back home for a month. That was how he kept his market garden going, that was how he kept all his various little projects moving, and that was how he ultimately ended his working life as an oil field electrician, basically fixing oil rigs, moving oil rigs, installing new equipment on oil rigs, as I understood it, anyway, with my limited understanding of what he actually did for a living.

I cannot remember because it was some years ago – my dad passed away in 2012 – but in the mid-2000s he hurt his back pulling some cable when they were moving a rig. I think it was in India, but it could have been in Kuwait because he was all over the place. Of course, you know, this man in his late 50s probably ought not to have been pulling that cable, but it was my dad. So then we went through this process. It was a private WCB process, that is to say the kind of system that would prevail if we didn't have the public, no-fault kind of system where we essentially have a single payer of insurance, where all employers pay into it, and the payments come out based on a schedule and based on regularity, independence, and security of funds. But that's not what happened for my dad. He was at the mercy of this subcontractor of a subcontractor of a benefits plan because he was working overseas.

I remember – this is another sort of certainly pre-Internet for my parents' house out on the farm – days of him being on hold and hours of him arguing it out with various people and 1-800 numbers and Houston and everything else to be able to access anything in the way of proper treatment. Now, my dad was a working-class guy like a lot of us know. He didn't really know how to advocate for himself in a bureaucratic system and a bunch of, you know, health

reports and everything else. He just knew that his back hurt and he couldn't go back to work at that same level, but he wanted to keep going because he also could do the travel; he just couldn't pull cable on an oil rig anymore, but he could do most of the duties.

11:50

Also, he needed the health care pieces at home covered, and that was the piece in the meantime – then he changed companies and it all moved on, and we were still fighting it out with the previous company on getting his appropriate compensation and benefits and all the rest of it for his workplace injury.

That's the kind of privatization of the responsibility that we place on working-class people who get injured through no fault of their own, for doing the duties of the job. Sometimes it's very difficult work. We know this in the energy sector. We know this, that people are doing hard work, women and men out there. When we place that onus on the individual rather than on the company, what we are essentially doing is going back to the early 20th century, when we privatized the profit and we socialized all of the risks of workplace injury. We put all of those risks either onto the individual or ultimately onto the taxpayers. The point of this WCB insurance system is that it does not revert to income support, to AISH, to CPP disability, to the health care system.

There is, in fact, an entire other system whereby employers collectively shoulder that burden. How old is this system? It's more than a hundred years old. It comes out of industrial workplace disasters such as the Hillcrest mine disaster and others in the early industrialization period in North America, and it is a trade-off, but the trade-off is not a WCB system so that employees get less and employers are then invited to try to avoid liability. The trade-off is that there is a taking up of liability and the employees lose the right to sue.

Now, in my dad's case, because it was a private system and it was not such a WCB system, he didn't get to assign that liability appropriately, and who paid? Well, the Alberta health care system paid rather than that multinational's benefit program. We all paid for him to go to various doctors' appointments and all the rest of it when that liability ought to have been appropriately assigned to the company. That is where WCB comes from, and when we undermine that system, we essentially undermine that balance, and we end up assigning those costs to where they do not belong.

Now, the folks across the way don't remember what it was like dealing with the chipping away of that liability, taken up by WCB, which happened beginning in 2000 here in Alberta with a number of changes that were brought in by Stockwell Day, the labour minister at the time, when he essentially said to the people of Alberta, "We are going to make WCB a for-profit venture," which is odd. That happened, and I recall vividly my first political job. It certainly wasn't my first job; my first job was when I was about 15. But my first political job was in Brian Mason's constituency office in I think it was called Edmonton-Highlands at the time. It was the summer of the by-election. It was in 2000, so it was 20 years ago. The WCB claims that came into his office, at the time Pam Barrett's office, were astronomical. These were in the days of paper. The files: you would open them up, and they would be like this. They were just, you know, a foot thick in some cases, and we had filing cabinet after filing cabinet full of these folks' files.

Soon after Brian was elected, I remember a man came in, and he was a broken man. He had fallen off some scaffolding or had done something. He was, you know, a day labourer. This is Edmonton-Highlands. This is not a place where you have, you know, a lot of tech workers or that kind of thing. There are a lot of day labourers and construction workers and so on. The fellow walked in, and he was hunched over, and I pulled out his file. I was very young; I was

a STEP student at the time. I went through it, and he had catastrophic injury to a number of his spinal – C numbers. It was all detailed there.

He had been cut off his WCB benefits. He had appealed, and the company said: no; you've got to do this work or nothing. He couldn't do that work. He couldn't climb up a bunch of scaffolding anymore. Essentially, he was a man folded in half, and I will never forget him. It was the first time I ever had to deal with those issues, and he came in right after Brian was elected because he thought: I know Brian Mason; I've known him in my community. Of course, Brian had ably represented that area on city council for many years, and people understood him as an advocate for working-class people. He came in, and he said: can you help me? I was really the only one in the office at the time because this was right after the MLAs were changing, that kind of thing, and I started to try.

Mr. Speaker, about as much as I could do was to look him in the eye and say, "I care, and I'll try," because, structurally, the previous government had set this system up where there was precious little else that any human being could do for him. Finally, we found a way to get him on some kind of unable-to-work income support. I think it was the precursor to AISH at the time. It was a long time ago. My memory is faulty on what those programs looked like. In other words, he was then given the ability to pay his bills due to a workplace injury out of the general operating budget of the government of Alberta rather than the company that was responsible for his catastrophic back injury in the first place. Again, we have an incorrect assignment of liability and an abrogation of the WCB principles in the first place.

I will note that that man would have been one of these 10 per cent. Yes, 90 per cent of folks return to work, but that man, that very first memory of mine of working with someone through the WCB process, would have fallen in that 10 per cent. What we are actually saying here is that it is okay for you to walk into an MLA's office and be, essentially, folded in half physically and have had the world cut you down from every ability to pursue dignified, meaningful work because we're just going to call you red tape, we're going to call what you need from that employer and that liability system red tape, this high-minded idea that is not grounded in working-class reality.

With that, Mr. Speaker, I will conclude my comments.

The Acting Speaker: Thank you, Member.

Standing Order 29(2)(a) is available. Are there any speakers? I will recognize the Member for Edmonton-Mill Woods.

Ms Gray: Thank you very much. Under 29(2)(a) I just really want to thank my colleague who just spoke and all members who have entered into the debate this morning. Particularly when dealing with a large piece of legislation like Bill 47, it's really important to remember that we're talking about Albertans – people, friends, neighbours, colleagues, people we know – who are struggling through these systems. It's really important to remember that we're talking about these humans who want to contribute, to work, to be able to pay their bills, to see their kids succeed, and the devastating impact of a workers' compensation system that does not appropriately address their concerns and does not support them towards rehabilitation has life-altering consequences. I think that the stories that my hon. colleague was just telling from her own father to that very first constituent casework 20 years ago need to remind us all, as we're debating about these policy choices that the UCP government is making, that these choices have very real consequences and impacts on the lives of Albertans and Alberta families. We all should be striving to support these workers to be

able to healthfully return to work and continue to contribute to our society.

The Acting Speaker: Sorry to interrupt, Member.

Members, according to Standing Order 4(2.1) the House stands adjourned until 1:30 this afternoon.

[The Assembly adjourned at 12 p.m.]

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