

**LEGISLATIVE ASSEMBLY OF ALBERTA**

Title: **Monday, June 6, 1988 2:30 p.m.**

Date: 88/06/06

[The House met at 2:30 p.m.]

[Mr. Speaker in the Chair]

**PRAYERS**

MR. SPEAKER: Let us pray.

From our forests and parkland to our prairies and mountains comes the call of our land.

Prom our farmsteads, towns, and cities comes the call of our people that as legislators of this province we act with responsibility and sensitivity.

Lord, grant us the wisdom to meet such challenges.

Amen.

**head: INTRODUCTION OF BILLS****Bill 33****Appropriation (Alberta Capital Fund) Act, 1988**

MR. JOHNSTON: Mr. Speaker, I'm pleased to introduce Bill 33, Appropriation (Alberta Capital Fund) Act, 1988. This being a money Bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of this Bill, recommends the same to the Assembly.

Mr. Speaker, members will know that this appropriation Act provides for funding of hospitals and medicare, advanced education, environmental capital construction projects through the Capital Fund to the extent of \$308,102,000, the debate on which has just been completed. I move first reading of this Bill.

[Leave granted; Bill 33 read a first time]

**Bill 34****Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Act, 1988-89**

MR. JOHNSTON: Mr. Speaker, I am very pleased to introduce Bill 34, Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Act, 1988-89. This Bill being a money Bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of this Bill, recommends the same to the Assembly.

Of course, Mr. Speaker, this legislation provides for the expenditure of dollars to the end of 1988-89 fiscal year through the heritage capital projects division. As all members know, this fund provides special, unique projects - a vast area of expenditures in this province, totaling \$164,460,000 -- in the area of occupational health and safety, oil and gas research, capital recreation facilities, and business diversification. I move first reading of that Bill.

[Leave granted; Bill 34 read a first time]

**Bill 47****Alberta Heritage Savings Trust Fund Amendment Act, 1988**

MR. JOHNSTON: Mr. Speaker, I am pleased to introduce Bill 47, Alberta Heritage Savings Trust Fund Amendment Act, 1988. This being a money Bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of this Bill, recommends it to the Assembly.

Mr. Speaker, Bill 47 has one major principle, and that is in amending section 6 by increasing the capital projects division expenditures from 20 percent of the total fund to 25 percent, allowing us to continue to fund those important projects here in Alberta from the Heritage Savings Trust Fund. There are some additional amendments to allow us to manage more effectively the various pension funds and other funds the province manages, but essentially the principal element of this Bill is to increase the expenditures under the capital projects division to 25 percent of the total value of the fund.

[Leave granted; Bill 47 read a first time]

**Bill 48****Department of Tourism Amendment Act, 1988**

MR. SPARROW: Mr. Speaker, I request leave to introduce Bill 48, the Department of Tourism Amendment Act, 1988. This being a money Bill, Her Honour the Lieutenant Governor, having been informed of the contents of this Bill, recommends the same to the Assembly.

Mr. Speaker, this Bill establishes a revolving fund for the Department of Tourism. The revolving fund will enable the department to acquire supplies and offer articles and services related to tourism to the public and to other government departments.

[Leave granted; Bill 48 read a first time]

**Bill 49****Consumer and Corporate Affairs Statutes Amendment Act, 1988**

MR. DAY: Mr. Speaker, I request leave to introduce Bill 49, which is the Consumer and Corporate Affairs Statutes Amendment Act, 1988.

This Bill will affect the Employment Agencies Act and will bring certain amendments to the Co-operative Associations Act. I move first reading of Bill 49.

[Leave granted; Bill 49 read a first time]

**Bill 50****Planning Amendment Act, 1988**

MR. BRASSARD: Mr. Speaker, I request leave to introduce Bill 50, being the Planning Amendment Act, 1988.

The purpose of this Bill, Mr. Speaker, is to provide for a more efficient and simplified planning system in this province. The Bill will clarify a number of the current provisions and recognize and legalize certain existing planning practices which are commonly accepted by the planning authorities, the development industry, and the general public. It will enhance municipal autonomy by giving a greater degree of decision-making power

to local governments. I move first reading of Bill 50.

[Leave granted; Bill 50 read a first time]

### **Bill 52**

#### **Land Titles Amendment Act, 1988**

MR. SCHUMACHER: Mr. Speaker, I beg leave to introduce Bill 52, the Land Titles Amendment Act, 1988.

This Bill provides for the implementation of a computer-based, automated title system. It will allow for the discontinuance of the general register. It clarifies and reorganizes other parts of the Act to streamline Land Titles Office operations and reduce paperwork. I move first reading of Bill 52.

[Leave granted; Bill 52 read a first time]

MR. YOUNG: Mr. Speaker, I move that Bills 48, 50, and 52, just introduced, be placed on the Order Paper under Government Bills and Orders for second reading.

[Motion carried]

#### **head: TABLING RETURNS AND REPORTS**

MR. SHABEN: Mr. Speaker, I wish to table the annual report of the Department of Economic Development and Trade for the year ended March 31, 1987.

MR. FJORDBOTTEN: Mr. Speaker, I beg leave to table the 1986-87 annual report of the Department of Forestry, Lands and Wildlife.

#### **head: INTRODUCTION OF SPECIAL GUESTS**

MR. ALGER: Mr. Speaker, I'm happy once again to be in the enviable position of having the honour to proudly introduce to you 194 senior citizens from all parts of their province, who have joined us on this second day of their memorable week. Mr. Speaker and ladies and gentlemen of the Legislature, this is the third annual proclamation of Senior Citizens' Week, an honour that conceivably should have been showered upon them many years ago. The whole province is bustling this week with energetic ideas and attitudes to show these people that we truly love, honour, and respect them. They are indeed children of the universe and have every right to be here.

Members of the Senior Citizens' Advisory Council and Secretariat, who collectively helped put this all together under the guidance of our own Minister of Social Services, Connie Osterman, are with us today in the persons of Mary Engelmann, Lottie Germaniuk, Peggy Corbett, Wanda Cree, Edith Sohn, Louise Hesson, Angela Spinner, Dr. Cherry, Marilyn Daines, Professor Christopher Armstrong-Esther, Bette Purves, Ed Fee, Sister Jean Golden, Bob Kernaghan, Lynne Sangster, Erna Goertzen, Sid Holthe, Mary Norman, Noel Butlin, Donna Rose, and Iola Johnston. They would like to remind the rest of the nation that our senior citizens aren't here for a good time; they're here for a long time, and we the Legislature of Alberta better be ready to accommodate them.

Ladies and gentlemen in the galleries, we would like you to know that you're as young as your faith and as old as your doubts, as young as your confidence and as old as your fears, as young as your hope and as old as your despair. In the secret

place of every heart there is a recording chamber. So long as it receives messages of love and hope and cheer and courage, so long are we young. But when the messages we receive cause the wires to be wound with the iciness of cynicism and the snows of pessimism, then and only then do we grow old. So our collective wish for you this day is that you always receive the most blessed of messages to allow you to remain forever young at heart.

Mr. Speaker, I would like our guests to rise in the members' gallery, the public gallery and the Speaker's gallery to accept the heartiest welcome they are likely to receive this side of paradise.

MR. SPEAKER: Member for Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Speaker. My introduction is very brief, but I do have a special friend in the public gallery today. We shared a house when we attended University of Victoria, and he stood up for me when I was married a few years ago. He was my best man, and I needed all the help I could get on that day. Anyway, he's on his way from Sarnia, Ontario, to take a position in Vancouver, British Columbia, and he's spending a week touring around Alberta first. His name is Dr. Don Eadie, and I would ask that he rise and receive the warm reception of the Assembly.

MR. SPEAKER: If hon. members would forgive me, I would like to make special note of one person seated in my gallery, someone who has a great, interesting background in terms of serving people in South America, also in the United States, as a Sister of Loretto, who worked together with me in the streets of Calgary on skid row. We helped to put together, with other people in this House including the hon. David Russell, a senior citizens' high rise there and then formed a board to help run two other senior citizen projects. I would like her to rise and for the House to recognize a very dear friend of mine, a soul mate: Sister Jean Golden.

#### **head: ORAL QUESTION PERIOD**

##### **Storm Victims' Assistance**

MR. MARTIN: Mr. Speaker, to the Premier. I'm sure all Members of the Legislative Assembly are thankful that no one was killed or, I understand, seriously hurt with the severe storm that hit into east-central and north-central Alberta over the weekend. I understand, though, that there is substantial property damage, much of which would probably be uninsured. In view of some problems which continue unresolved from the tornado damage in Edmonton last summer, my question to the Premier would be this: will the Premier advise what approach the government is taking to the question of disaster relief for these most recent victims over the weekend?

MR. GETTY: Mr. Speaker, I had the first report on damage late last night, and I should advise the House that the government public safety emergency operations centre was actually activated before noon on Sunday. Ministers of the government as well as Public Safety Services are out and have been out today and are compiling a full report on details of any damages. For my part, I have announced this morning already that the government will do everything possible to help those who have been hurt or had homes or businesses damaged by what may or may

not have been tornadoes. The government is not going to become embroiled in the details of whether it's a minitornado or a small, big, or half tornado; we are going to do everything we possibly can to help.

MR. MARTIN: Well, Mr. Speaker, I appreciate that sentiment from the Premier. But last year the Premier personally toured the site of that disaster and it was based on the Premier's commitment of financial aid, I guess similar to what happened today, that a special formula was developed for disaster assistance for businesses and individuals who suffered losses. My question is: does the government plan a similar approach in respect of this weekend's storms?

MR. GETTY: Mr. Speaker, I think all hon. members know that there was something quite different last year from anything we've ever experienced before in Alberta. I don't know whether the same circumstances at this stage are a fact from the weekend storms, but several cabinet ministers, as I've said, are out today. I notice that at least one is back, and we will be having a full report later today. So it will have to wait until final assessment by Public Safety Services and the ministers before I can say exactly the details of the program, other than, as I've already stated, everything possible to help those who have been damaged.

MR. MARTIN: Well, Mr. Speaker, to the Premier. The special formula worked out for the Edmonton tornado victims was considerably more generous than the general disaster relief formula in place since 1985. Specifically, I want to know if the government is considering planning a special formula for the damage on the weekend or not. Would it be based on what happened in the last tornado a year ago?

MR. GETTY: Well, Mr. Speaker, I just answered that question, and that is that the assessment is being done now and decisions will be made as a result of the assessment.

MR. MARTIN: Specifically, then, Mr. Speaker -- there is a number of cases flowing from the Edmonton tornado last year. I think there are half a dozen or so that are not solved, and I don't expect the Premier to know all of these cases. But can he advise whether the previous relief program that was brought in last year is being evaluated for its effectiveness and fairness with a view to updating the general disaster relief formula in the future?

MR. GETTY: Yes, Mr. Speaker.

DR. BUCK: Mr. Speaker, a supplementary question to the Premier; the Minister of the Environment is absent. Can the Premier indicate if the government is satisfied with the monitoring mechanism that is place with Environment Canada or associated departments to find out if the tracking of the storm was adequate in the estimation of the government?

MR. GETTY: It's difficult to completely satisfy myself as of this moment, Mr. Speaker, without further details being provided, but I could advise the House that there was a severe thunderstorm watch issued at 5:45 on Saturday. Then that was upgraded to a severe thunderstorm warning at 10:25. Further warnings were issued at 11:25 for the counties of Flagstaff, eastern Beaver, Minburn, Two Hills, eastern Leduc, Strathcona,

western Beaver, Lamont, Elk Island park, Thorhild, and Smoky Lake. Updates were received at 12:20, 12:30, 12:50, and 1:50 a.m. on June 5 and included now the counties of Red Deer, Lacombe, Ponoka, and Camrose. The warnings also contained the statement that some thunderstorms may produce tornadoes.

By 9:00 a.m. on Sunday the duty officer received the first report of damage, and as I earlier reported to the House, the government emergency operations centre was activated before noon hour on Sunday. That storm damage is reported from Cayley, south of Calgary, to Alix, Mirror, Bashaw, then north through the counties of Camrose, Lamont, Smoky Lake, and then swung northeast towards St. Paul. It appears there is severe damage in very isolated areas and not widespread damage, for which, as the Leader of the Opposition mentioned, we're all very grateful. Nevertheless, we are continuing to work on an assessment in order to come out with a program that will help in the most effective way.

MR. TAYLOR: Mr. Speaker, to the Premier. In view of the increased density of population -- the summer storms we have with us, of course -- and the chances that damage is going to come and go for the next while anyhow, the next years ahead, is the Premier contemplating a set program of damage analysis and damage repayment rather than ad hoc after each storm?

MR. GETTY: Mr. Speaker, there is a program of assistance. However, in the case of a tornado we feel that that is such a specific, isolated, unique situation that it required a specific program. There is a set, standard Public Safety Services program for assistance to people for natural damages, damages from nature. That is co-ordinated with someone from every county in this province, all the municipalities, and they work on it on a regular basis throughout the year so that they are able to respond. But I think that in unique circumstances a unique program is usually justified.

MR. SPEAKER: Second main question. Leader of the Opposition.

MR. MARTIN: Yes, Mr. Speaker, I'd like to designate my second question to the Member for Edmonton-Centre.

MR. SPEAKER: Edmonton-Centre.

### Home Care Funding

REV. ROBERTS: Thank you, Mr. Speaker. History knows that it was the CCF/New Democrats in western Canada who first pioneered and established both medicare for seniors and pensions for seniors. *Hansard* shows that during my two years in the New Democrat Official Opposition I have repeatedly called for the overhaul of the auxiliary care, nursing home, and home care programs so that care for the frail elderly can be improved. But now many of the seniors whom I speak to, many of the well elderly, are calling attention to the urgent need for health promotion programs designed to keep the 85 percent of all seniors . . . To keep them well, healthy, and in the community. So the question is to the Premier. How can the Premier continue to allow all of the dollars to be spent on institution-based sickness care and leave only .2 percent of the entire health care budget to be spent on health promotion programs which so enable and so support the well elderly to help keep them well and in the community?

MR. GETTY: Well, Mr. Speaker, as we've often discussed in the House -- there's nothing unique about the question today since it's been raised in the House before by both government and opposition members. That is that you require a balanced program, a program to treat those who are acutely ill, those who need long-term care, and those who need home care. You also need a program of community health, community preventative health, occupational health. Various ministers of the government have been involved in these programs.

It is true, I think, that there should be a greater and greater awareness of preventative health. That's why for the first time we have a department with a minister who has that responsibility -- Community and Occupational Health. This government is putting a greater and greater emphasis on the preventative health side of health care. Also, I should -- of course, I probably don't need to -- draw to the attention of the House that we currently have a royal commission on future health care for Albertans. I'm looking forward to the recommendations which they may make in this whole area. A former minister of the government and six members from throughout the province of Alberta, who have accepted this responsibility, are currently conducting hearings, investigations, meeting with the public. We're looking forward to the report of the Hyndman commission. I think it will allow us to take what is, I believe, the best health care system in the world and make sure that it is still the best health care system on past the year 2000. That is the target we've set for ourselves, and we won't be satisfied; we'll keep working to reach that.

REV. ROBERTS: Mr. Speaker, the whole point of the matter is that it's so wildly out of balance, that 85 percent of seniors get less than .2 percent of the whole budget for health care. Will the Premier make a commitment this Senior Citizens' Week to sit down and meet with those at the Edmonton board of health, for instance, who for five years have developed programs designed primarily for the well elderly? You don't need a commission to talk to them -- if you would go talk to them about what they've been planning for five years and sit down and find out why government aid has been refused for their particular programs for health promotion for elderly.

MR. GETTY: Mr. Speaker, as I've said, we have in this province -- and I would match it against any in North America and perhaps the world -- the best programs for the seniors in this province of anywhere in North America. That's our commitment; that's what we're going to maintain in the future. That's why we have a commission looking into the future, and I know that as I travel throughout Alberta . . . The hon. member says, "Why don't you meet with Albertans?" I'm meeting with Albertans every day. I meet with the seniors in this province every day, and they tell me that they feel they have the best programs in Canada.

REV. ROBERTS: Not so, Mr. Speaker . . .

MR. SPEAKER: Supplementary questions, hon. member.

REV. ROBERTS: Mr. Speaker, it's not true. Where was the Premier at the recent meeting of the Alberta Council on Aging where a resolution was passed unanimously, calling for government funding for wellness clinics? Since he perhaps wasn't there, and the Minister of Community and Occupational Health should have been there, will the Minister of Community and

Occupational Health announce today his intention to support the unanimity of the seniors at the Alberta Council on Aging who passed this resolution, and will he further initiate core funding for wellness clinics for senior citizens throughout the province?

MR. DINNING: Mr. Speaker, I'm delighted to be able to comment on the excellent programs that are put on by our 27 health units and various family and community support service committees around the province. I believe there are some 350 well-seniors clinics conducted each and every month in this province. That's in addition to programs such as the Keep-in-Touch of Lethbridge Society's daily phone program. It's quite complementary to the Food for Life program that's run out of the Leduc-Strathcona health unit. It's in keeping with the heart-health program that is run in three or four of the 27 health units as well as the homemaker, home help, Meals on Wheels, and home care programs delivered in every one of our health units across the province.

REV. ROBERTS: Well, Mr. Speaker, they talk and talk and talk, yet I continue to hear from every seniors' group in this province. Every seniors' group has told me that the one area where the government is deficient is on home care. When will this Minister of Community and Occupational Health announce a substantial increase for home nursing care instead of providing just a skimpy less than half of one percent which was allocated in this current budget year?

MR. DINNING: Mr. Speaker, the home care program in Alberta has doubled in the last four and a half years. I'm committed, as I know our government is, to continue with that trend, if not to accelerate it in the days ahead.

MRS. HEWES: Mr. Speaker, to the Minister of Community and Occupational Health. Will the minister then guarantee to this House that next year's budget will not have those disgraceful numbers in it but will in fact put more resources through public health units into home care and to FCSS, which in many ways supports our seniors, keeps them well, healthy, and at home?

MR. DINNING: As I've said earlier, Mr. Speaker, I'm proud of the record this government has in providing community alternatives for our seniors so that they can stay in the community. I believe our government continues to be committed to providing that choice, that real alternative to institutional care such that we will continue to enhance both the homemaker, the home help, the meals on wheels, and the home care programs, and all of those programs that meet our seniors' desire to stay in the community, to stay healthy, to stay well, and enjoy independence in their own homes.

MR. SPEAKER: Thank you. Calgary-Glenmore.

MRS. MIROSH: Mr. Speaker, to the minister. I wondered if the minister could allude to the recent policy on caring and responsibility and the supporting of independence and how his department brings in this recent government policy.

MR. DINNING: Well, Mr. Speaker, the document is in total keeping with many of the programs that this government puts on, many of the programs within our own department. I've mentioned home care and family and community support serv-

ices as two programs alone. I should mention as well that the long-term care report, Meeting the Need, prepared by the hon. Member for Calgary-Glenmore is a trailblazer in this area, that it outlines a new vision for long-term care for our senior citizens which, as our hon. Premier has said, cannot be matched by any other jurisdiction in North America.

MR. SPEAKER: Main question, Westlock-Sturgeon, on behalf of the Liberal Party.

### Weather Modification Program

MR. TAYLOR: Mr. Speaker, my question today is also to the Premier. I guess that once again the absolute stupidity and the gross incompetency of this government in canceling the Alberta Research Council's weather modification program has been pointed out with the happenings over the last weekend. As a matter of fact, if I may quote page 3 of the federal government's environmental report, turned out earlier this year, it says:

For example, recent proposals by the Alberta Research Council staff members for severe storm research deserve serious consideration. We can ill afford to lose research expertise in severe storm forecasting, radar data processing, and artificial intelligence.

Mr. Speaker, my question, then, is to the Premier. Will he now admit that a colossal boo-boo was pulled in canceling that program last year, and reinstitute it?

MR. GETTY: Mr. Speaker, it's ironic that it would be today, when we have so many seniors in our House, that the hon. member would now take the position that somehow a government can control nature.

MR. TAYLOR: Mr. Speaker, it's this voodoo mentality that the Premier exhibits now and again that brings me to bring that. Therefore, I ask: is he aware, for instance, that hail damage can be minimized by weather modification? It's mentioned in any number of reports. Is he aware of something as simple as that?

MR. GETTY: Mr. Speaker, there are research reports on the program. Some of them show that there are some advantages; some show that there are some very major disadvantages. It has to be assessed.

MR. TAYLOR: Mr. Speaker, in view of the fact that the Associate Minister of Agriculture was talking to some municipalities the other day about sharing the costs of weather modification -- and I know of the Premier's lack of success in doing anything about the Lubicons -- would he approach the federal government and ask them to go in for some joint funding now in restoring the radar tracking and the violent storm warning systems we had before this government so unfortunately kicked it out?

MR. GETTY: First of all, Mr. Speaker, there's been no reduction of storm tracking, radar forecasting at all in this province.

MR. TAYLOR: Mr. Speaker, that's an absolute . . . I can't say the word, but the Premier exhibits a very tenuous hold on reality, a very tenuous hold indeed. It's fairly evident that the whole point of the weather modification program is tracking storms. Now, would this Premier go this far? All I ask is some very simple thing. He can read it before he falls off to sleep tonight, in between golf scores. It's only four pages, in the

English section only, of the weather modification program. Will he just read the last weather modification recommendations of the federal government? Not go out and buy binoculars and watch storms but actually read these four pages and then come back tomorrow and give us an announcement in the Legislature? Would he do that?

MR. GETTY: As I already said, Mr. Speaker, it's interesting when you have seniors in the House today, people who have always known the strength of self-reliance, knowing what it took to build this province, to wonder that we have now a member who says that they want the government to do everything, including to try and control weather.

DR. BUCK: It's amazing how we're all trying to put on a show for the seniors today, Mr. Speaker.

I would like to address my question to the hon. Associate Minister of Agriculture. I've been reading weather reports from the hail suppression program for 21 years that have passed my desk in this Legislature. The study has basically been concentrated in the hail-prone area down through Didsbury, Olds, and that area. After 21 years can the minister indicate if they have any concrete evidence, if there's been any degree of modification of hail running down through that belt because of the efforts of the hail suppression system?

MRS. CRIPPS: Mr. Speaker, as the Premier indicated at the beginning in answer to the first question, there are believers on both sides of the issue, and each side of the issue can show that it either does or does not work. In fact, the year after we discontinued the weather modification program, I had a number of people calling my office saying what a great job we were doing because we hadn't had any hail that year, and we'd discontinued the program. So the vagaries of the weather, as the Premier indicated earlier, are really not controllable. We have people who really believe that weather modification works, and we have people on the other side who believe it doesn't.

I might say, Mr. Speaker, in talking about the document the member keeps waving . . . On May 26 he waved the document, which he did not quote from correctly. He said that the letter was to the Premier, and the letter in fact was to the Minister of Agriculture and myself, with a copy to the Premier. He said that the Weather Modification Co-op could protect 40 million acres. What they claimed to protect was 4 million acres. I mean, he can wave any document he wants in this Legislature, but until we see the printing on it, we don't know whether he's quoting accurately or inaccurately. [interjections]

MR. SPEAKER: Complaints comes at another period.  
Lacombe, supplementary.

MR. R. MOORE: Thank you, Mr. Speaker. A supplement to the minister, following on the previous questioner. Will the minister advise us: after 15 years of research carried out by this province and millions of dollars of taxpayers' money, did the researchers come out with any concrete evidence of pro or con on it, or were they still undecided on the issue?

MRS. CRIPPS: Mr. Speaker, that's an interesting question because the member ended it by saying "pro" and "con," and I can assure you that the researchers did come out with evidence pro and con.

### Construction Industry Collective Bargaining

DR. BUCK: Mr. Speaker, my question is to the hon. Minister of Labour, and it has to do with the ongoing discussions going on with the contractors of Alberta and the long-standing dispute with the unions. We don't seem to be making much progress, Mr. Minister, through the Speaker. Can the minister bring us up to date? Does he expect that there is going to be a resolution of this problem this summer, or is there not?

DR. REID: Mr. Speaker, the hon. Member for Clover Bar asks an interesting question, and there are some inferences, I think, in the question. The situation is that Bill S3 was proclaimed last summer after consultation with the employers, with the unions, and also with the investors who stimulate activity in the construction industry. All three agreed that there was a need for stability, and all three felt that the system developed in those consultations would work. It has not, for reasons that are arguable, but it is fairly obvious that the results have not met anybody's expectations. I think everybody involved has gotten frustrated. Essentially, at this time there has been agreement on the deduction of union dues and two other small items, and that is all. What will happen this summer I cannot predict, but the permanent legislation for the construction industry will be introduced very shortly.

DR. BUCK: Mr. Speaker, can the minister indicate if there's a main or several main problems, and if he can, what are those main problems that are keeping the two sides apart?

DR. REID: Mr. Speaker, the difficulty is that, first of all, the two parties -- that is, the contractors and the unions -- have had a difficult relationship, as we all know, for several years. That of itself has had some effect, but on both sides there has been an attempt -- and I suppose it's a natural wish -- to try and fix permanently the situation which is to the advantage of one side or the other. That is probably the greatest problem we have faced: an inability of the two sides to recognize each other's interests and to develop some realistic responses to each other. Those matters are, of course, partly personality, partly history, and partly the very nature of the relationship in the unionized construction industry. The permanent legislation will have some modification from that that is in Bill 53 and also modifications from the previous legislation in the Labour Relations Act.

DR. BUCK: Has the minister used any friendly persuasion, Mr. Speaker, or is he saying to both parties, "I wish to have you resume meetings at such and such a time, and I want a resolution?" Has the minister gone that far?

DR. REID: Mr. Speaker, on two occasions I had the two federations in the same room, and I would expect that on both sides they have regarded the advice as perhaps anything but friendly. It was, perhaps, blunter than friendly. That advice and those persuasions were equally ineffective to the efforts of the two parties themselves.

DR. BUCK: Mr. Speaker, several months ago I asked the minister if the government was footing the Bill for both sides for the discussions. Can the minister indicate if that in fact is happening, that we are footing the bill to bring these two parties together?

DR. REID: No, Mr. Speaker. I did have discussions with both parties. We did make some money available in the last fiscal year, but the union federation indicated that they felt they could manage without that government assistance. Of course, if one side was not going to receive the funding, neither would the other.

MR. TAYLOR: Mr. Speaker, a supplementary to the minister. Does the question of whether or not a settlement is reached affect whether or not the minister will introduce permanent legislation in this sitting? Are you waiting for them to make agreement, or will we be getting permanent legislation anyhow?

DR. REID: Mr. Speaker, at the time of the introduction of Bill 53 in June of 1987 the intention was that the agreement in the unionized construction sector would be settled prior to the introduction of the successor Bills to Bill 60; namely, Bills 21 and 22. That timetable has obviously not worked. The situation is, as the member would realize reading Bill 53, that that statute will be with the proclamation of Bill 22, and therefore the permanent legislation will be introduced regardless of what may happen in the negotiations that are still ongoing to some extent.

MR. SPEAKER: St. Albert.

MR. STRONG: Thank you, Mr. Speaker. To the Minister of Labour. Will the minister finally admit to all Albertans that the reason Bill 53 negotiations failed is because he, the Minister of Labour, would not follow the process as laid out in Bill 53 -- with the disputes resolution tribunal and the binding arbitration process that was listed in that Bill, in addition to the final offer selection process of his legislation? That's why it's failed.

DR. REID: This is difficult Mr. Speaker, as the hon. Member for St. Albert is sitting at the bargaining table. The situation is that both federations were told in September and again in December, in the same room so that both federations heard exactly the same message, that there was no intention ever of using the arbitration provisions in Bill 53 to achieve a total settlement.

As I just said in answer to the hon. Member for Clover Bar, the achievements of the last 10 months have been miniscule. I have laid the blame for that at the parties who were involved in developing the system that is in Bill 53. The lack of success of the parties has precluded the use of the arbitration system which was there so that any small issue, either in the general agreement or at one of the subsidiary tables, could not logjam the whole process. That was the intent of the arbitration provisions. It was made amply clear to the Member for St. Albert and to the union federation, as it was to the employers' federation, that arbitration would not be used to impose a total settlement upon the industry.

In addition to that, Mr. Speaker, we have recently seen the sidebar bargaining by the boilermakers where the employers and the boilermakers' union achieved a tentative agreement, but it was then interfered with by a member of the hon. Member for St. Albert's own union, who went out and persuaded some of the boilermakers not to sign the agreement.

MR. STRONG: Point of order, Mr. Speaker.

MR. SPEAKER: Thank you; at the end of question period, hon. member.

The Chair recognizes Calgary-Fish Creek, followed by Calgary-Mountain View.

### **Browning-Ferris Industries' Landfill**

MR. PAYNE: Mr. Speaker, my question this afternoon is to the Minister of Community and Occupational Health. A number of my constituents have queried why the Browning-Ferris Industries' landfill is continuing to operate at their landfill site just south of the Fish Creek constituency. In view of the fact that the approval to develop the site was overturned by the Public Health Appeal and Advisory Board, why hasn't the Foothills health unit canceled the operating permit which allows BFI to continue to operate the landfill?

MR. DINNING: Well, Mr. Speaker, as the hon. member knows, this is a somewhat complex issue. The original development permit was approved by the Provincial Board of Health back in 1985, and since then this whole matter has been the subject of appeals and cross appeals and counterappeals in the courts and before the Public Health Appeal and Advisory Board. I am a little uneasy, as I believe that this matter is heading back to the courts. But until it is finally resolved, the Foothills health unit has been advised by its legal counsel that it would not be appropriate to cancel the permit to operate that was originally issued to Browning-Ferris Industries.

MR. PAYNE: Mr. Speaker, what assurances can the minister provide today that the public's health is being protected while the issue is being resolved in such a tortuous fashion?

MR. DINNING: Mr. Speaker, when the decision was originally made by the Foothills health unit and was confirmed by the public health board, it was found that a landfill site could be safely operated in that area, and there is some feeling that that continues to be the case. Certainly the public's health is protected by a great deal of monitoring that goes on, including the groundwater monitoring that takes place. Samples are taken regularly, and no groundwater contamination has been detected at this point. A number of other things are done, including methane monitoring. Again, no methane has been detected. There is a strict no-burning policy. The landfill site does not accept any hazardous wastes. The entire site is fenced, and there is regular inspection to ensure that compliance takes place. I believe that a number of the necessary and reasonable steps are being taken to ensure that the landfill site operates within provincial regulations.

MR. PAYNE: Final supplementary, Mr. Speaker, if I can. Would the minister include in his review of the public health implications of the landfill an evaluation of the public health risk of gulls and other birds with parasitical infection migrating from the landfill site to the nearby suburban community lakes in the Sundance, Midnapore, Bonaventure, and Bonavista communities in my riding?

MR. DINNING: Mr. Speaker, it is a very valid question and a valid concern. This was a matter that was carefully considered by the Foothills health unit and by the Public Health Appeal and Advisory Board when the decision was originally taken. I have asked my officials to ensure that water in those communities and the lakes in those communities continue to be tested on a regular basis and that if any concern should arise, I be immediately

notified and that corrective action would be taken.

MR. TAYLOR: Mr. Speaker, supplementary to the minister. In view of the rather antiquated system of getting rid of our waste or garbage in that method, has the minister put any pressure on the ministers of Energy and public works to bring them into the middle of the 20th century at least and see whether or not we could put -- and as Edmonton recently exhibited, the problem with finding a dump site too -- something together that will turn our garbage into energy, a much more modern system of handling it than dumping it in an open pit someplace around the edges of our towns?

MR. DINNING: Mr. Speaker, that really is a matter under the purview of the Minister of the Environment whom I regret isn't able to supplement my answer. But he is certainly leading the debate in a very forthright and forward-looking way, such that I believe Albertans' habits with respect to waste disposal will change in the years ahead.

MR. SPEAKER: Calgary-Mountain View.

### **Lubicon Band Land Claim**

MR. HAWKESWORTH: Thank you, Mr. Speaker. This past May 6, in answering questions on the Lubicon land claim issue, the Premier assured the Assembly that the Minister of Federal and Intergovernmental Affairs was pushing the idea of a tribunal with the federal Minister of Indian Affairs and Northern Development as a way to resolve that issue. The Premier stated again on Friday that the FIGA minister had not failed in this duty, yet the Indian affairs minister continues to stand by his statement that he's never heard of this specific proposal from the FIGA minister. Can the Premier now inform this Assembly when, specifically, a written proposal on the tribunal process was formally submitted to Mr. McKnight, the minister of Indian affairs?

MR. GETTY: Mr. Speaker, having heard me say and then quote that it was the Minister of intergovernmental affairs that was handling the matter, and the minister being here, you would have thought the member would have asked the minister, who is here.

MR. HAWKESWORTH: Mr. Speaker, the Premier made a statement to the Assembly on May 6. Eleven days later in a press release issued by the federal minister, he states:

There has been no proposal made to Canada outlining the proposed mediation process since the Premier of Alberta and the Chief first met some two and one-half months ago.

That's 11 days after the Premier made a statement in the House. Can the FIGA minister provide any evidence to the Assembly proving that a specific written proposal on this tribunal process was, in fact presented to the federal Indian affairs minister?

MR. HORSMAN: Mr. Speaker, the matter was discussed by myself with the federal minister on a number of occasions by telephone and by the negotiators between Canada and Alberta during the course of the time leading up to the federal government's decision to reject the proposal formally and to commence legal action. I may also say that in my discussions on this matter with the minister this past Saturday morning, he assured me that despite what the hon. Member for Calgary-

Mountain View had told this Assembly last week, no member of his staff had been approached by the NDP opposition to seek information and that his . . .

MR. MARTIN: That's a lie.

MR. HORSMAN: Now, the Leader of the Opposition has just said, "That's a lie." If so, he is accusing the minister of Indian affairs of that.

But he assured me that he is still interested in discussing the matter in the context of the lawsuit. The fact that the lawsuit has been launched does not mean that a settlement cannot yet be arrived at. So the leader and the Member for Calgary-Mountain View had better be very careful about their facts before they put those words in the mouth of a federal minister of the Crown.

MR. HAWKESWORTH: Well, we're very careful about our facts, Mr. Speaker; I can assure the minister of that. Given that the fact that he had received no proposal from this minister was one of the main reasons why the court action was pursued, does the FIGA minister feel that he bears at least partial responsibility for the fact that the federal government is choosing that route instead of negotiations? Because he didn't even go to the minister and give him something in writing to explain this proposal.

MR. SPEAKER: Hon. minister, with due respect, the way the question was framed, there's no answer because that makes it subjudice.

SOME HON. MEMBERS: No, no.

MR. SPEAKER: It clearly does. It talks about prejudicing the case, hon. members.

Next supplementary, Calgary-Mountain View.

MR. MARTIN: On a point of order. Come on; that has nothing to do with subjudice.

MR. HAWKESWORTH: My goodness, this government needs all the protection they can get.

The Premier tried to leave the impression . . .

MR. SPEAKER: Order please, hon. member. What's that in aid of?

MR. HAWKESWORTH: Mr. Speaker, the Premier tried to leave the impression that he was serious about this proposal as a way of getting the land claim issue resolved. Will the Premier tell us why this issue is of so little importance to him that he didn't even bother to put it in writing and submit it to the Indian affairs minister or ensure that his FIGA minister put it in writing and submitted it to the Indian affairs minister?

MR. GETTY: Mr. Speaker, as I said on Friday and previously in the House as well, this government is working with the Lubicon Band. I've met with the chief. We've had through the department of intergovernmental affairs discussions with the federal government. There is no magic in writing something in a letter. As a matter of fact, frankly I think it is far more effective to handle it personally with somebody to get the point across. I must say it's nice to know that when our minister is talking to the federal government, they acknowledge the discussions going on and not that the Member for Calgary-Mountain

View is faking it. [interjections]

MR. SPEAKER: Hon. member, a point of order has been taken, dealt with at the end of question period.

Westlock-Sturgeon, on a supplementary.

MR. TAYLOR: A supplementary, Mr. Speaker, just for clarification purposes. To the Attorney General. Would he state again that the hon. Member for Calgary-Mountain View, as well as the people who reported the federal minister's conversations in the *Edmonton Sun* and the *Edmonton Journal*, misquoted the federal minister?

MR. SPEAKER: This has nothing to do with the newspaper reports, hon. member.

MR. HORSMAN: Mr. Speaker, I can relate a conversation that I had with the federal minister. He did indeed have conversations with members of the news media, and he assured me that he had had no conversation with any Member of the Legislative Assembly other than myself on this issue. Furthermore, he advised me that his staff had assured him that no one had contacted his staff from this Legislature relative to the issue. He did indicate quite clearly that the press had indeed been in touch with him on this issue but that he had had no contact either himself nor through any member of his staff, who had reported to him on a conversation with the Member for Calgary-Mountain View or anyone else from the NDP caucus.

MR. SPEAKER: Thank you. Additional supplementaries? Edmonton-Meadowlark, main question.

### **Proposed Medicine Hat Tourism Projects**

MR. MITCHELL: Thank, you, Mr. Speaker. Medalta is a traditional pottery making factory of historical significance to Medicine Hat and to Alberta. Its restoration is a project of some interest to the residents of Medicine Hat as a tourism project, a tourism destination, and as an important heritage project. To the Minister of Tourism: is the minister aware of the merits of this tourism project, and is he considering funding it?

MR. SPARROW: Mr. Speaker, I'm glad to answer that question. Yes, I am aware of it. We have throughout Alberta a community tourism action planning process going on. I understand that Medicine Hat is well into that process. That Medalta pottery project will definitely be receiving a lot of discussion in Medicine Hat. If it's one of the goals and aims of the community to have that type of facility, they should be encouraged to put it into their community tourism action plan, which would be approved by the municipal government prior to forwarding any of the requests on to us at the provincial level.

MR. MITCHELL: Has the minister considered this project against the merits of another project, a gas interpretive centre, which is currently being promoted by the MLA from Medicine Hat?

MR. SPEAKER: Time for question period has expired. Might we have unanimous consent to continue this series of questions?

HON. MEMBERS: Agreed.



MR. SPEAKER: Opposed? Carried. Thank you.  
Hon. minister.

MR. SPARROW: Mr. Speaker, there are many discussions going on throughout every community in this province. I urge each and every MLA to get involved in the community tourism action planning process. I'm waiting with interest to see the many projects, the many goals and objectives in Medicine Hat and many other communities. I'm sure those are only two projects that are being discussed in Medicine Hat. They will end up undoubtedly with 25 to 40 objectives for their community if they are to match any of the other communities that have completed their plans. Very often many communities are very seriously looking right now, Mr. Speaker, at destination planning at the same time as we build lures and/or attractions, because one of the main things we have to look at is trying to keep tourists in your region or in your community when they get there, not just lure them in there and send them back the same day on a bus or by having just an attraction.

MR. MITCHELL: Has the MLA for Medicine Hat made representations to the minister on behalf of the gas interpretive centre and against the Medalta project?

MR. SPARROW: Mr. Speaker, we receive many, many requests from MLAs and support from MLAs on various projects throughout the province, and any MLA is encouraged to get involved. The main important thing will be sending your recommendations, if you believe in a project, to the municipal government that is involved in that community to make sure it is one of the projects they will be looking at and improving before they send recommendations on to us. There's a lot that can be done by the communities themselves, and we're asking those communities to identify what they want to do. Undoubtedly they're going to ask us to do some things, but there's a limit on what we can do. We do not have a program that fits major facilities like that at the present time, but the community tourism action program funding that is already out there and available -- they will be deciding at the local level as to which projects they support in their own communities.

MR. MITCHELL: What credibility does the minister give to representations made by groups such as Medicine Hat's new tourism action committee or its municipal government when those groups are in disagreement with the MLA for the area?

MR. SPARROW: Mr. Speaker, as I said earlier, the two projects the hon. member has mentioned are only two of the many goals that are going to come out of the community tourism action plan in that community. If he wishes to interfere in the affairs of another community, then he should send his representation to the municipal government in that area and make representation of what he feels is the better project, because I think that is something that should be handled at the local level. The community tourism action planning process is designed to assist that, the community tourism action planning program is to help fund it, and Team Tourism is to help them to then promote it after they've finished it.

MR. SPEAKER: Member for Vermilion-Viking, followed by the Member for Athabasca-Lac La Biche.

DR. WEST: Yes, Mr. Speaker, a supplemental to the Minister

of Culture and Multiculturalism. If a community targets an historical site for the tourism action plan funding, would it still then qualify under the historical sites division for help in restoration through your department?

MR. STEVENS: Mr. Speaker, I'm very pleased to answer that in an affirmative way. We would continue to provide advice and assistance, and the grant program in our budget would be available.

MR. SPEAKER: Member for Athabasca-Lac La Biche.

MR. PIQUETTE: Yes, supplementary to the Minister of Tourism. Would the Minister of Tourism admit that the community tourism action plan funding of \$30 million over five years is totally inadequate to meet the tourism needs of many Alberta communities such as Lac La Biche, Athabasca, Vegreville, et cetera?

MR. SPARROW: Mr. Speaker, that's an unknown until such time as the community tourism action plan in each community has been approved by their municipality and is forwarded through. Undoubtedly there is no limit of funds that could be spent in any one community. The community tourism action program was set up to try to be fair to all communities based on a per capita base. It gives the base funding for many, many smaller projects that can be done in a community. I would hope that when those community tourism action plans are completed at each community level, we'll be able to add them together to become regional plans and then look at everything in a tourist zone as a zone plan, and we will then definitely be looking at, by this fall, all the things that should be done at a provincial level that would assist those communities. I think it's very important that our planning comes from the bottom up on a fair base from all the communities in this province and not just targeting one or the other and us trying to pick and choose.

MR. SPEAKER: The Chair understands there are points of order arising from the question period.

St. Albert occurred first.

MR. STRONG: Thank you, Mr. Speaker. [interjection] It's my turn. You get up after.

MR. SPEAKER: Order please, hon. member. Sit, please, hon. member. With due respect, hon. member, it's the Chair that determines who rises next, not yourself. So would you kindly speak to this point of order.

MR. STRONG: I was recognized by the Chair, Mr. Speaker.

MR. SPEAKER: Thank you, hon. member. [interjections] Order please.

St. Albert then went on and made other comments about who else was going to be recognized. It's not appropriate for the member to make the comments. So just on the point of order.

MR. STRONG: Mr. Speaker, under Standing Order 23(h) and (i). During question period I posed a supplementary question to a question that was asked by the Member for Clover Bar. In his response, the Minister of Labour suggested that a business agent of local union 488 of the united association interfered with the ratification process and vote that the boilermakers recently held.

Mr. Speaker, that is not the case and a misrepresentation of what the facts are. The minister well knows that that boilermaker agreement was turned down by the membership of the boilermakers' union at a specially called meeting to deal with that ratification. It was rejected by the membership of the boilermakers' hall for a number of reasons, one of them being overtime, another being travel time and other problems with that agreement -- certainly not interference by the local union that I represent.

In addition to that, the Minister of Labour went through a litany of reasons and excuses why his Bill 53 legislation failed. Mr. Speaker, during the initial meetings when Bill 53 was introduced even prior to Bill 53 being introduced in this Legislature and on the day it was introduced, there was nothing said by the Minister of Labour limiting the provisions that were in Bill 53 other than those that were invented by the Minister of Labour after that Bill's passage in this Legislative Assembly. To say anything else, Mr. Speaker, is a misrepresentation of the facts not only to the Members of this Legislative Assembly but to the press gallery, the public gallery, the members' gallery. I'd like that minister to withdraw his remarks, as they're a misrepresentation of what the truth is.

MR. YOUNG: Mr. Speaker, just speaking very briefly to the citations the hon. member has directed our attention to, that being section 23(h) and (i) of the Standing Orders, it's quite clear in those references that they refer to allegations against another member. The whole substance, as I understood it, of the discussion was against another entity but not, as I heard it, against another member.

Mr. Speaker, the hon. member may have a complaint, but based upon my understanding of the Standing Orders, he does not have a point of order.

DR. REID: Mr. Speaker, in my remarks I did refer to a memorandum of agreement between the boilermakers and the employers in that trade. About a month ago, I think it was the Member for Calgary-McCall who asked me questions in this Assembly regarding our progress in the construction industry. If my memory serves me right -- I don't have *Hansard* in front of me -- I indicated that there was a tentative memorandum of agreement between the boilermakers' union and the employers in the boilermaking industry. I am quite sure that at that time I indicated it would be appreciated if those other employers and other unions involved in the construction industry would stay out of the process in relation to the boilermakers.

The problem is that the hon. Member for St. Albert believes very wrongfully that all trade union members are as misguided in their political beliefs as he is. Well, for his information, many rank-and-file members of unions in this province are not as misguided as the hon. Member for St. Albert. I have had direct information from members of the boilermakers' union at Genesee that a business representative of local 488 of the UA -- that is, the union -- and the local for which I understand the Member for St. Albert is the business agent, went out to Genesee and at a lunchtime meeting spoke to the members of the boilermakers and indicated that if they went on strike, the members of the UA would not do any of their work; in other words, incited them to turn down the agreement. Those are the facts.

Now, the business agent himself, who is sitting in this room, may not have been aware of the member going out but the member went and spoke to the boilermakers at Genesee. This is

not a point of order. This is a point of complaint. And he was the one who asked the question that led to the exchange.

MR. MARTIN: Mr. Speaker, on a point of order. I am frankly appalled that this minister would stand and say that We still all live in a democratic society; people can go around and talk to whoever they want. But the point, Mr. Speaker, the point . . . [interjection] We're under the same point of order, if you're listening. But the point of the matter is that the boilermakers voted on this particular proviso. They can talk to whoever they want. It's still a free society, at least for the time being, and it was an outrageous thing for this minister to insinuate that that's the reason the boilermakers went along.

You've asked us to be careful what we say in this House. Surely that applies to this minister, because that was the most outrageous proposal I've heard for a long time.

MR. SPEAKER: There are a number of convoluted matters with respect to this. The Chair will examine the Blues and report to the House tomorrow.

Additional points of order. Calgary-Mountain View.

MR. HAWKESWORTH: Yes, Mr. Speaker. On Friday last, as *Hansard* will record, I stated:

This morning my office contacted the office of the federal Minister of Indian Affairs and Northern Development . . .

I took the statements made both by the Premier and by the Minister of Federal and Intergovernmental Affairs this afternoon to say that that was not the case, that in fact my office had not contacted the office of the Federal Minister of Indian Affairs and Northern Development. I want to assure the Legislature that, in fact, a member of our staff did contact a member of the staff of the federal minister of Indian affairs, and I would ask that any allegation that the statement I made on Friday was untrue should be withdrawn. I'm asking that that be withdrawn.

MR. GETTY: Mr. Speaker, the hon. member has just quoted *Hansard*. With respect to the hon. member, I don't like to think he's faking, and if he isn't he should stand up and say so. But if members will look at page 1469 of Friday's *Hansard*, I said to him:

Mr. Speaker, I [can't] speak for Mr. McKnight. If the member wants to hear what Mr. McKnight's problems are, he should talk to him.

MR. HAWKESWORTH: I did.

Now, if he wants to change *Hansard*, stand up and ask that *Hansard* be changed. But he said, "I did."

AN HON. MEMBER: Did he or did he not talk to McKnight?

MR. GETTY: No. I said he should talk to him. He said, "I did." Now, frankly, Mr. Speaker, I said he did not, and we have since talked to the minister, who said he did not.

AN HON. MEMBER: He said his office did.

MR. GETTY: I'm talking about . . .

MR. HORSMAN: "I did," he said.

MR. GETTY: Now, if the member wants to change *Hansard*, then I think he's got a legitimate concern. Raise it. Perhaps tell *Hansard* that he did not say "I did" talk to Mr. McKnight. Be-

cause that's what the *Hansard* reads. Now, if he didn't say that, then obviously he's not faking, and then I would say, well, I take back the word "faking." But if I say "he should talk to him" and he says "I did," and McKnight says he did not . . .

MR. SPEAKER: Well, this is not point counter point. There's a problem involved here as well, because the hon. Member for Calgary-Mountain View just a moment ago said: a member of my staff talked to a member of their staff. [interjections] No, we don't. . . . Order in the House. Thank you. In terms of trying to strain at gnats and flies, we're into it.

But the point here is: did the hon. Member for Calgary-Mountain View himself speak to the hon. minister at the federal level or not? [interjections] Hon. members, the question is being dealt with by Calgary-Mountain View and the Chair. If you wish to send notes to Calgary-Mountain View and myself, please do so. The question is being raised: was it dealt with on a one-to-one basis, or was it staff level to staff level basis, because that would add some clarity to the issue.

MR. HAWKESWORTH: Mr. Speaker, if it would help resolve the question in the Premier's mind, I did want to hear what Mr. McKnight's problems are. So the answer is correct. If the minister wants to hear what Mr. McKnight's problems are, yes, I did want to hear what they are. And in case it was not clear, Mr. Speaker, it was emphasized to make sure the point was repeated that it was to his office I had spoken when it was . . . [interjection] So, Mr. Speaker, I made it clear, first, in my opening remarks. The Premier wants to hang something on . . . [interjection]

MR. SPEAKER: Hon. Member for Athabasca-Lac La Biche, please. It's difficult enough trying to ascertain what is happening here without the extra background noise. Thank you. [interjections] Hon. members for Edmonton-Highlands and Edmonton-Norwood, because you were involved in an exchange with the government benches a moment ago, perhaps you did not hear the Chair call government benches specifically to order. Perhaps this is an example that everyone should pay attention to what's happening. Thank you. [interjections] No, hon. members. There's still dialogue going on here. Then it will be Westlock-Sturgeon and then Red Deer-South as well and Edmonton-Highlands. That's fine.

MR. HAWKESWORTH: Mr. Speaker, it couldn't be clearer. I stated it first in my opening preamble to the first question. Then, when it became obvious that the Premier had misunderstood what the two words were, it was clarified again to reinforce the point that I had talked to his office. I don't know what could be clearer than that, and having made it clear to the Premier this afternoon what transpired on Friday, I would appreciate him pursuing the comments he made earlier, that having explained it, he would withdraw his comments. Thank you.

MR. SPEAKER: Well, the Chair is at an amiss as to what just transpired about five minutes ago. Hon. member, was it inadvertent that you said: a member of my staff spoke to a member of the federal minister's staff.

MR. HAWKESWORTH: Mr. Speaker, obviously when I say that "my office contacted," what else would it be, then, if it wasn't a staff person working in that office? I mean, it has to be an individual working in that office to pick up the phone. An of-

fice by itself can't do that. So I thought it was absolutely clear. I hope we haven't gotten down to that kind of discussion about the difference between a staff member and an office. That clearly was the statement I made on Friday and I still stand by it, and it's the same statement I just made a few minutes ago. A member of my staff contacted a member of Mr. McKnight's staff in Ottawa.

MR. SPEAKER: Thank you, hon. member.

With respect, the Chair will recognize you in a moment, Westlock-Sturgeon.

MR. TAYLOR: Mr. Speaker, if I may get in . . .

MR. SPEAKER: In a moment, Westlock-Sturgeon. Thank you.

The Chair points out to the House as well as Calgary-Mountain View that part of the issue as raised by the government front bench was a specific Member of the Legislative Assembly speaking specifically with the minister. That has been part of the discussion today. Now we have it back for clarification that it was a member of your staff speaking with a member of the federal office staff, and that is essential information for the discussion on the point of order.

Now, Westlock-Sturgeon.

MR. TAYLOR: Mr. Speaker, as a third party on the outside here, if I may get in, I do think -- and I was sitting here listening, because I'm very interested in Lubicon, being our critic for it -- the hon. Member for Calgary-Mountain View quite clearly said that a member of his staff had contacted. The only way you could possibly say the hon. Member for Calgary-Mountain View might have said he talked directly was in a very heated exchange further on when he said he should talk to him and the hon. member said "I did." Well, I think he was speaking generically; I don't think anybody misunderstood that at all. Because it goes on very quick; he did not. The hon. member said he talked to his office. Well, even reading this without being here, I don't think there was ever any question that the hon. Member for Calgary-Mountain View -- who I have a great deal of respect for, as I do for the Premier -- ever said he was speaking individually to the minister. I think it's most wrong to say that the hon. member has in any way, shape, or form said that he did. If you read the thing through, Mr. Speaker, all the way through from halfway on page 1469 to the top of 1470, it clearly reads the "Yes, your mother wore army boots," "No, she didn't," sort of thing back and forth at each other. But I don't get any impression at all that the hon. member had claimed to get any private inside information. His staff was speaking to their staff. As a matter of fact, you're very lucky in this government, Mr. Speaker, if you can get your staff to talk to their staff and their staff to even answer. So I was quite impressed with him going that far.

MR. SPEAKER: Thank you. The Attorney General, followed by Edmonton-Strathcona. These will be the last two to speak to this particular point of order. Oh, Edmonton-Highlands had indeed been recognized. Edmonton-Highlands first, with apologies to the Attorney General.

MS BARRETT: Well, I'd have been pleased to hear from the Attorney General, who has also joined his colleague the Premier in a typical quarterback sneak on this point of order, Mr. Speaker. But I'll make my points on this point of order and

look forward to the Attorney General's response, if he can dream one up.

Mr. Speaker, I am convinced that this attempt at manipulating the rules is as weak and flimsy as that attempt which was engaged in on Friday, the attempt of the Premier not withdrawing the comment about the Member for Calgary-Mountain View having, quote, attempted to fake it, when he should do the honourable thing and withdraw that remark, knowing full well that it was a similar type of manipulation that occurred in the Assembly on Friday with respect to the rules governing debate in the Assembly -- yes, Mr. Speaker, you will get the point -- knowing full well . . .

MR. SPEAKER: Hon. member, that point of order was dealt with on Friday. It is inappropriate to be referring back to a matter that's been decided by this House. To this point of order today, please.

MS BARRETT: Mr. Speaker, I am pointing out that it is the same sort of cheap manipulation of the rules that allows . . .

MR. SPEAKER: Thank you, hon. member. We're getting into more statements that ought to be withdrawn if this continues. To this point of order related to today's discussion.

MS BARRETT: My point of order, Mr. Speaker, is that it is apparent to anybody whose IQ is measurable on any Richter scale that the hon. Member for Calgary-Mountain View, upon uttering his first words in the Assembly that day, said, and I quote:

Thank you, Mr. Speaker. This morning my office contacted the office of the federal Minister of Indian Affairs and Northern Development . . .  
et cetera, et cetera.

Now, if ever there was an instance where the intentions of a member were made clear and are being deliberately manipulated and extrapolated therefrom by the so-called hon. Premier, I have yet to find another such instance. Why can't the Premier do the honourable . . .

MR. SPEAKER: Order please. It really is offensive to parliamentary practice to use the phrase "so-called hon. Premier."

MS BARRETT: Mr. Speaker, I'll do the honourable thing. I'll withdraw the so-called reference, because I agree that all 83 members of this Assembly are honourable. Why doesn't the Premier do the same thing and extend the courtesy to the entire Assembly?

MR. SPEAKER: Edmonton-Strathcona.

MR. WRIGHT: I just want to say two short things here, Mr. Speaker. The first is that it is clear there was a misunderstanding between the hon. member and the Premier on the reference of the words "I did," but equally clear that the Premier stated that the hon. member was faking it on the question of his staff or the hon. member's staff member speaking to the staff of the minister. That should be withdrawn.

MR. SPEAKER: Thank you. Attorney General.

MR. HORSMAN: Mr. Speaker, on Friday, following the exchange in question, I sought the Blues to review them, because I

had thought I had heard the hon. Member for Calgary-Mountain View, Mr. Hawkesworth, say "I did" in answer to the Premier's questions. So I checked the Blues and, indeed, it appeared in the Blues as is printed in *Hansard* today. I then took the opportunity of faxing to the hon. minister of Indian affairs, where I reached him in Winnipeg, the material from the Blues. Then in my conversation with him -- the whole series of questions was indeed faxed -- I asked him if in fact he had spoken to Mr. Hawkesworth, the Member for Calgary-Mountain View, and he said no, he had not. That appeared to me to be at considerable variance from the answer. I just point this out as a matter of fact. So the hon. Member for Edmonton-Strathcona may be very correct in saying there's a misunderstanding, but having read *Hansard*, it appeared to me to be very clear. It may very well have been a misunderstanding, and if so, the hon. Member for Calgary-Mountain View could have cleared it up very quickly, but he did not do that.

I also asked the hon. federal minister whether or not he had any knowledge of his staff having been contacted . . .

MS BARRETT: Oh, had any knowledge.

MR. HORSMAN: No, no. The hon. Member for Edmonton-Highlands interjects again. I said -- and I think the Blues will show it and the *Hansard* should -- that he had no knowledge of anyone having contacted his staff from this Legislative Assembly other than myself as minister, who had dealt with him on this issue and had spoken to him on the subject on many previous occasions. So, Mr. Speaker, I think perhaps it's been clarified, with the assistance of the Member for Edmonton-Strathcona, that in fact the hon. Member for Calgary-Mountain View, in having said "I did" speak to the minister, really wasn't accurate and perhaps was mistaken in the way he responded.

MR. MARTIN: Mr. Speaker, on this point of order. The Premier talks about the tone of the House all the time, and precisely what they're doing here is why this House has deteriorated into these sorts of things. They will not admit when they made a mistake. Clearly this minister, the minister of intergovernmental affairs, in question period -- I think if you check the Blues -- certainly insinuated that we had not even contacted his office. He went much further than just talking about the minister and he insinuated very clearly, and that's when the Premier said he was faking it, that the Member for Calgary-Mountain View had not and our staffs hadn't talked, that we were just making it up. Now, they can play little niceties about this, but anybody who was in this House knows full well what was meant. And if you take all the *Hansards* together, the three statements rather than just picking up one little point, I think all of us know what was going on. It's very clear, and if they don't have the courage to stand up and admit that they made a mistake when they expect other people to do the same thing, then there's not much we can do about that. But we leave it with you that this should be withdrawn.

MR. GETTY: Mr. Speaker, I already said today, and I'm sure it's in *Hansard*, that when I say,

Mr. Speaker, I can hardly speak for Mr. McKnight. If the member wants to hear what Mr. McKnight's problems are, he should talk to him,

the *Hansard* has that Mr. Hawkesworth said "I did." Mr. Hawkesworth doesn't speak again in the *Hansard*. That was where it ended. Now, when the minister says he did not, then I said

that's faking it. Now, if he says he was not saying that he talked to the minister when he said "I did," then I accept that, just as the Member for Edmonton-Strathcona said. I accept that, and I said that he no longer appeared to be faking. I see no problem with that. That's the second time. But *Hansard's* pretty clear: he never speaks again to change that point. So, Mr. Speaker, it was pretty hard for anybody not to think that he said, "I did talk to him." Now, if he didn't say that, fine. Then he's no longer in a position of faking it, and I'd take that position. He no longer is in a position of faking.

MR. SPEAKER: That brings to an end this point of order, because the Premier has withdrawn the remark with respect to this considerable amount of misunderstanding on both sides of the House.

Unless this is brand-new point of order, hon. member, you will not be recognized.

MR. MITCHELL: Yes, it is a new point of order.

MR. SPEAKER: All right. Now. Thank you.

MR. MITCHELL: Mr. Speaker, my point of order relates to section 327(1) through (7) of *Beauchesne*, and concerns the same issue.

On Friday, June 3, the Premier referred in debate, in answering the hon. Member for Calgary-Mountain View, to a document, and I quote:

I have a letter here . . .

And then he says parenthetically:

. . . and I don't want to get in a position of having to table someone else's letter -- where it starts off, a full page, the Getty tribunal process and the federal government's response to it.

Regardless of what the Premier may say about not wanting to get into a position of having to table someone else's letter, in fact under section 327(1) through (7), it is very clear that he has got himself into a position of where he . . .

MR. SPEAKER: Order, hon. member. Perhaps you would be good enough to read the Blues from Friday, the section that occurs at the end of the day, because the matter was dealt with. The Chair took it under advisement and reviewed the document which had been referred to. Looking at the document thoroughly, there was no citation of any length made from that particular document. Please refer to the Blues. This has already been dealt with.

Edmonton-Strathcona.

MR. WRIGHT: Mr. Speaker, this is with reference to your ruling that a supplementary question the hon. Member for Calgary-Mountain View attempted to ask the Premier, referring to a possibility that the breakdown in negotiations was as a result of no written communication on the mediation proposal, was sub judice within rule 23 of our Standing Orders.

AN HON. MEMBER: Sub(g).

MR. WRIGHT: Yes.

Mr. Speaker, perhaps you didn't have in your mind exactly what that lawsuit is about, but it concerns the obligations and duties of the federal government, and of course the Lubicons, arising under the Indian Act, and in particular the agreement that

was made about 1940 and within that framework in particular the number of members who are now to be counted in law as members of that band, and has nothing to do, with respect, Mr. Speaker, as to the responsibilities for any alleged breakdown of communication between the two governments.

MR. SPEAKER: Thank you, hon. member. The sub judice convention has been referred to at great length in terms of our present sitting of the Legislature. Naturally, most of the references have been with regard to the principle of the whole umbrella of the Principal investigation. The same rules of sub judice convention apply to any other matter before the courts, and obviously the Lubicon issue is one which has now plumped itself in terms of bringing into effect the sub judice convention.

Again, the House should be reminded of the fact that it's up to the member asking a question, let alone a member responding to the question, as to whether or not something is sub judice. I'm sure hon. members realize that the Chair did allow a number of questions to be asked with regard to this issue on this day, but there was, indeed, one supplementary question raised which, in the opinion of the Chair and of the Table officers, was in violation of sub judice convention. The Chair will indeed look at the Blues overnight with regard to that but the recollection was that it was a question which, if answered, was going to prejudice the position of the Crown.

## ORDERS OF THE DAY

### head: GOVERNMENT BILLS AND ORDERS (Second Reading)

#### Bill 21 Employment Standards Code

DR. REID: Mr. Speaker, it's indeed a pleasure to rise and propose second reading of Bill 21. I will shortly get back to the process of the reviewing of labour legislation in the province, but Bill 21 comes from that review and from the process that was developed by the government with Albertans. Many of the provisions in Bill 21 where they differ from the previous Employment Standards Act are indeed subsequent to that review of the labour legislation and to the recommendations in the final report of the Labour Legislation Review Committee.

[Mr. Deputy Speaker in the Chair]

Perhaps a word of explanation first Mr. Speaker. The Employment Standards Code sets out in a reasonably straightforward manner the minimum provisions that generally apply to employees and employers in the province. The code's provisions cover items such as payment of wages, hours of work and rest breaks, overtime, minimum wages, vacations, holidays, notice of terminations, parental benefits, and others. In the process of the writing of Bill 21, what was in the minds of the government caucus and those who actually drafted the legislation throughout was the need for emphasizing that employment is a two-way street and that the relationship between the employee and the employer is crucial to the success of the employing entity but is also crucial to the general attainment of the wishes of the employee.

The basic philosophy, Mr. Speaker, is laid out in the preamble. While I recognize that preambles are unusual in legislation in Alberta, where the government feels it is justified, a

preamble is introduced in certain high-profile or greatly significant legislation in order to set a philosophical statement in addition to the bare bones of the various sections, and indeed, every section should be read bearing in mind the preamble. The preamble to Bill 21 -- and when we get to the next Bill, I'll be saying much of this again -- sets out that underlying philosophy in the following ways. First of all,

... that a mutually effective relationship between employees and employers is critical to the capacity of Albertans to prosper in the competitive world-wide ... economy.

That may be a statement of the obvious, but it is still worth setting forward as a basic philosophical statement. In addition,

... the worth and dignity of all Albertans [is] recognized ... through legislation that encourages fair and equitable resolution of matters arising in respect of terms and conditions of employment.

Now, it is true that some employees in this province choose, of their own free will, to be represented by a union in much of their relationship with their employers, but on the other hand, many do not. It's for that reason that the Employment Standards Code has got that particular part of its preamble.

Mr. Speaker, an employee/employer relationship is, in actual fact, based upon a common interest. Some would deny that, but it is true. The success of the entity that provides the employment is crucial to that employment continuing. The successful relationship between employees and employers has to be based on an open and honest communication process, and indeed, communication is one of the provisions included in the statute. It's for that reason it is felt that having an Employment Standards Code is an appropriate mechanism through which terms and conditions of employment may be established as a basic minimum level for all Albertans who are covered by the legislation.

The intention of Bill 21, the Employment Standards Code, is, therefore, to provide a legislative framework that is both fair and reasonable for all Albertans, employees and employers, and to serve the long-term needs of the province and the people who are fortunate enough to live in it. Bill 21 supports the principle that ongoing, direct government involvement in the relationship between employees and employers should be minimized and should essentially, in the employment standards area, be limited to the enforcement where necessary of the standards, but that in general it is best that employees and employers relate directly, openly, and honestly to each other.

Before going into some of the provisions of Bill 21, I would like to briefly review the process by which we reached the stage we are now at with the second reading of a new Employment Standards Code. In the Speech from the Throne in the second week of June 1986, there was a specific commitment to a thorough review of labour legislation in the province. There was some discussion about how that commitment should be met, and there was an unprecedented process initiated. The process, first of all, was that of appointing a multisector-based committee of Albertans: three from organized labour, three representing employers, and three from the general public. Those members were chosen not as specific representatives for their own narrow group -- be it city management or be it the operating engineers -- but they were chosen to represent in a reasonably sized committee as much as possible of the economic activity in the province and, as much as possible, all of the different employee/employer relations that exist in the province: manufacturing, construction, public sector, private sector, male, female, the teaching profession, and others. The result was a committee that, although numbering nine, covered a very broad spectrum

of Alberta society, Alberta economic activity, and Alberta employment.

The committee looked at legislation and at the systems in several other jurisdictions, and in November of 1986 published an interim report which included information from those jurisdictions and asked certain questions of Albertans prior to a very thorough process of public meetings around the province. At those public hearings, interest groups, individuals, organized labour, individual employees, employer associations, and individual employers came and spoke to the committee. In addition to that, there was a large number of briefs submitted in written form. Some of those were supplementary to the verbal statements made to the committee at those public meetings, and some of them had no verbal statement attached to them. There was, as I say, an extremely large public input into the process.

Following that process, the final report of the committee was issued in February of 1987. The final report again stimulated a lot of response from Albertans to that final report. That response was thoroughly considered by the government caucus prior to the introduction at the end of last year's spring sittings, on June 17, 1987, of a draft Bill, Bill 60, which covered both the existing Employment Standards Act and the Labour Relations Act. The single Bill concept was one that the committee had recommended so that all Albertans would be aware of all factors involved in labour legislation.

Subsequent to the tabling for first reading in this Legislature of Bill 60, the government received over 300 written submissions from all types of Albertans, employers and employees: individual employers, associations of employers; individual employees, unions, associations of unions -- in other words, a very broad input again. I myself held over 200 meetings with various groups of Albertans -- public meetings, private meetings -- and again that input was considered in the process over the winter of 1987-88, subsequent to which again the government caucus considered the input. The result was two separate Bills, one of which I am currently addressing, Bill 21, the Employment Standards Code, the other being Bill 22, the Labour Relations Code.

It is now, Mr. Speaker, some seven weeks since the introduction of Bills 21 and 22 on April 15 of this year. During that time, again we have received input, but the input has changed very much. The input now is, in general, an acceptance of the provisions in the Employment Standards Code and is also, quite naturally, specific requests for individual items to be reconsidered or for individual items to be deleted or to be added. But I might say, Mr. Speaker, that in general the responses have been remarkably favourable to the concepts that are in Bill 21, the Employment Standards Code.

Now for some specifics to do with Bill 21. After the preamble and the definitions, the next part of the statute has to do with "Communication and Education." The provisions there emphasize the importance of open and honest communication between employees and employers, and the provisions reinforce the government's supportive role, but no more than that. It's recognized that all parties in effective labour relations require an ongoing communication process rather than talking to each other only when there are some problems. It has, unfortunately, in many cases in the past been the habit to disregard the other party in the relationship unless there is a difficulty. It is suggested by Albertans very strenuously that those habits should change. They have in many: employment relationships changed dramatically over the last decade, some have changed since this process was started some two years ago, and there are

others that still need to change.

As I said, the preamble has to be recognized in reading all the sections of the Act, and when the preamble and part 1 are taken in conjunction, it clearly reflects this government's commitment to fairness and equity for all Albertans in the employee/employer relationship.

Employers are required by this code to provide four weeks' notice to the Minister of Labour of their intention to terminate more than 50 employees at a single location within a four-week period. That provision is not there for a notification purpose so much as to enable the government, when such unfortunate permanent terminations do occur, to be able to bring the employer and their employees the capability of existing government programs to aid in the adjustment of employment for those who are losing their employment with that given employer. There are under the other ministries of this government various retraining processes and programs that are available, and those would be made much more widely available to the employees were the government to know in advance. Now, obviously there are limits on when it is reasonable to ask the employer to give the government four weeks' notice, as the sudden loss of orders and work could not be regarded as required and that the employer continue to employ people when there is no work available.

The code also permits employers and employees to continue to enter into overtime agreements, providing it is not made a condition of employment. Now, Members of the Legislative Assembly will remember some of the comments that were made subsequent to the introduction of Bill 60 last year. It became obvious and apparent that both on the part of employees and on the part of employers the current system of overtime agreements was manifestly acceptable. To mention just one example, in my previous career as a physician, many a night we had to call nurses back to the operating room for a caesarean section or to look after some accident, or somebody had ruptured their appendix. Those nurses who were called back -- because in small hospitals there is not an operating room staff on duty 24 hours a day, seven days a week -- frequently would prefer to have a subsequent Friday afternoon or a whole Friday off from work, if they'd accumulated enough overtime, rather than take the overtime pay for the number of hours they were called back. That's just one example, and there are many others that were brought to my attention after Bill 60 was introduced. In other words, this provision provides employees with the benefit of paid time off in lieu of overtime if they wish it, and provides employers, of course, with some scheduling flexibility that is associated with that.

Another provision in Bill 60 that engendered a lot of comment was the concept of a compressed work week. I can assure you, Mr. Speaker, that in my own constituency I was lobbied intensively by the unions in the coal mines, the pulp mills, sawmills, and board plants, as well as by the employers, to indicate that the compressed work week is, for many people in Alberta, an accepted fact. They appreciate it, and the concept of having a shorter work week to make up for working longer days -- whether it is four 10s or three 12s or whatever the arrangement may be -- is well accepted and, indeed, in many cases is a stimulus to taking certain employment by the employees. The important matter, of course, is that there must be no reduction in wages and that if the number of hours worked exceeds the statutory limits, then of course overtime must be paid.

There is a new concept as well in Bill 21, Mr. Speaker, and that is of a break during continuing employment. Many of us accept that the workday is broken up in the middle into two

halves of four hours with a break for lunch, or an equivalent in the other shifts. But in actual fact in this province there are many ongoing functions where it is reasonable and feasible for the employee to be given such a break, and the employee is not being given such a break. In view of that, we have introduced in Bill 21 the concept of a one-half-hour rest period after five hours of continuous work. I should add, of course, that there are many occupations -- generating plants, many of the continuous operations like refineries, the forest industry, the transportation industry -- where such a break is not feasible. For that reason, in the section and immediately thereafter there are some exceptions listed, but they are where it is reasonably difficult or impossible to have the half-hour break.

Mr. Speaker, in addition to the provisions I have mentioned so far, we have introduced an increase in the requirement for vacations for long-term employees. Once this statute is proclaimed, after an employee has been working continuously for five years, they will be entitled to three weeks' paid vacation rather than the traditional two that has been the statutory minimum. I am aware that many employers and employees have already bypassed this provision with and without collective agreements, but it is felt that this is a minimum standard that should apply within the province. The provisions in the statute allow for various ways of taking that vacation, and I anticipate there'll be some debate upon those provisions in the general debate upon Bill 21.

In the same philosophy, Mr. Speaker, there is also a change in the notice requirement when a long-term employee has to be terminated for good and valid reason. Where the employment cannot continue, the employer will have to give notification to long-term employees that extends up to eight weeks after 10 years of employment, or if unable to give that notice, to pay time in lieu. This concept recognizes that there has been an increasing acceptance in Alberta society that for long-term employees who have a stake in the organization and where the organization has obviously benefited from their employment for prolonged periods of time, there should be a degree of fairness, which is recognized in this specific provision.

There are in Alberta some married couples who have difficulty having children. We have had requirements for maternity leave for the natural mother well recognized, well accepted, and that unpaid maternity leave is now a well-established tradition as well as being a statutory requirement in the province. Because of various reasons, an increasing number of parents are adopting, when they can get children for adoption, and it was felt that for social reasons and the bonding that should exist between those parents as well as with natural parents and their children, there should be a statutory provision for adoptive leave. Of course, in this case, since there is not a natural mother as the adoptive parent, the provision has been made available for either the mother or the father, recognizing a biological fact of life, I suppose.

Mr. Speaker, in relation to wages and other entitlements, there is a provision that where the employer feels for good reason that wages, overtime, other entitlements have to be reduced for the survival of the employing entity, the employer must give notice to the employee before the beginning of the pay period in which there will be a reduction in the wages and benefits rather than the employee being told when they get their cheque at the end of the week or two weeks or half month or month; that they must be told in advance, so they have grounds for terminating the employment if they feel they don't wish to work for the new wage structure.

An important provision that ties into wages as well is what is being called the deemed trust provision. In the future, wages in this province will be deemed to be in a trust until paid and will therefore not be available in case of receivership, foreclosures, and such actions that may be taken against the employer. The wages of the employee will not be available to the receiver or to other creditors under these circumstances. These provisions must, of course, fit in with the federal Bankruptcy Act which, being federal legislation, takes precedence.

Another important provision for all employees is that where an employee has been terminated by the employer and is being dismissed for requesting an entitlement under Bill 21, the director of employment standards will have the capability now not just to seek recompense but also to reinstate the employee if that is warranted.

Mr. Speaker, the new Employment Standards Code does provide minimum employment standards that are fair and equitable for employees and employers, but they also are competitive with those in other provinces and elsewhere in North America. They will enable Albertans to prosper either as employees or employers, and they will provide for the flexibility and framework for a much enhanced communication process where that has been deficient in the past.

The emphasis placed by this government on fairness and equity in the employee/employer relationship in Bill 21, the Employment Standards Code, is, I think, one that all Albertans will support, and I commend it to the Assembly. I would appreciate the comments of individual members and will attempt to deal with any questions or points that may be raised in the ongoing debate.

Thank you.

MR. DEPUTY SPEAKER: Hon. Member for St. Albert.

MR. STRONG: Thank you, Mr. Speaker. It's a pleasure for me to rise this afternoon in second reading of Bill 21, the Employment Standards Code, to make my comments with regards to an important piece of social legislation, I think certainly important to all Albertans.

What we see before us in Bill 21 covers Albertans who do not enjoy the protection of a collective agreement. I think the minister said it when he made his comments in saying that the legislation provides that minimum standard for employees who do not have or are not afforded the protection of collective agreements. The minister stated publicly that the touchstones for this new employment standards legislation that we see before us in the Assembly were fairness, equity, creating that level playing field, and legislation, in essence, that would bring us into the 21st century, put us at the forefront of labour relations in Canada. I suppose that my job as the labour critic for the New Democrat Official Opposition is to view and examine the legislation and examine whether or not the minister's fine words and his government's fine words in essence are reflected in the legislation we see before us.

Mr. Speaker, I've examined this legislation in some detail, and certainly in a nonpartisan way, and find that this Bill fails to be fair, it fails to be equitable, it fails to create that level playing field, and it certainly fails to take us into the 21st century in labour relations in the province of Alberta. I suppose again, being kind, I could state that the legislation places us working Albertans perhaps in the 19th century but certainly not in the 21st century. The rights of protection extended to working Albertans under this legislation are almost nonexistent. What the minister

forgot to say when he was going through his long list, his host of processes that we went through to see Bill 21 and certainly later on Bill 22 in front of us, was the trip he made with his committee around the world in order to gain and bring back to Alberta and Albertans some expertise in what we should expect in this country as opposed to what we see in other countries, to bring that expertise that he gained during those travels at the taxpayers' expense back to Alberta.

Mr. Speaker, what do Albertans find? They find that we have inequity, unfairness, and almost a Roman colosseum, where they used to take the Christians to the lions, legislated injustice that places working Albertans in the same position as those Christians in those colosseums in the years past. It's not good enough to condemn for the sake of being negative the legislation that we see in front of us. I know the Premier hates, just hates, negative people. I don't think I'm negative or anything else, but I certainly think it's my position and my job in this Legislative Assembly as the labour critic for the Official Opposition to bring forth concerns, to say that this legislation isn't fair. I'd suggest to this minister that if this legislation was a yardstick for success, it would be in the Guinness book of records as the shortest yardstick in the world. The new legislation that we see before us is short on compassion, it's short on common sense, and it fails to measure up. It's seriously short of being the legislation demanded by working Albertans both at the public hearings and in the submissions that were presented to the Minister of Labour and his committee. The legislation that Albertans expected was to be fair, to be equitable, and legislation that would indeed take them into that 21st century, specifically in this province, for some fairness.

I think, Mr. Speaker, that the job of a true Minister of Labour is to protect Albertans from possible abuse and protect them from unscrupulous employers who prey upon those unsuspecting and uninformed employees. Those are the people that suffer the most in Alberta, because in the main they're at the bottom of the social scale when it comes to learning abilities -- English: command of the English language, being able to read English -- so that they really know where they're going when it comes to labour legislation in the province of Alberta. I think that's what we see absent in this legislation. The most economically disadvantaged in this province are what this legislation applies to, those who count on those meagre salaries that the minister's minimum wage provides for day-to-day living, the people who can't really fight back, and the people who expect this minister and his department to achieve a little personal fairness and equity for them.

I believe, Mr. Speaker, that this new Employment Standards Code and certainly the employment standards branch in the province of Alberta have failed to protect Albertans. I believe the proof of this is that we had close to 10,000 complaints laid with the employment standards branch last year, and what did we see? Five prosecutions in 1987. The Employment Standards Code is their safety net. Unfortunately, it's a ragged and somewhat tattered net. It fails and the minister fails average Albertans.

Let's look at the proposed Bill that the Minister of Labour intends to foist upon working Albertans. The minister made comment with respect to the preamble that's contained in the proposed code. Is it a statement supportive of employee rights? Is it a statement that guarantees working Albertans' rights? Is it a statement in favour of industrial democracy or working-place justice? Quite simply, no, Mr. Speaker. And the facts that are before us in this legislation certainly demand that Albertans take



a look at the legislation to see that it is unfair.

The minister spoke about the preamble contained in the legislation. I'd like to make some comments in that regard, because the legislation really doesn't speak to what we on this side know as being supportive of those who do not and cannot afford the protection of collective agreements, for whatever reason. Let's look at the first "whereas" contained in the preamble. Part of it's okay, but then we get to the last part:

... Albertans to prosper in the competitive world-wide market economy ...

Mr. Speaker, what we're taking about here is labour legislation. We're not talking about competitive world market economies. We're not talking about that; we're talking about a set of rules that are there for employers and a set of rules that are there for employees so that people know their rights. And economics, while they do have something to do with it, should not show up as a statement of intent or philosophy, not as far as I'm concerned, in what we see here as minimum standards for Albertans.

I think we go down further, to the third whereas, to say:

The employer-employee relationship is based on a common interest in the success of the employing organization ...

Well, Mr. Speaker, that might be somewhat true, but in the majority of cases what I've found is that those people that are working out there are certainly interested in what they're receiving for wages and certainly don't have, at all times, the common interest of the business venture at heart. Most of them are there working for minimum wage or just very marginally above that.

The fourth whereas goes on to say:

Whereas employees and employers are best able to manage their affairs where statutory rights and responsibilities are clearly established and understood;

Mr. Speaker, that is absolute nonsense. There is certainly a great advantage for an employer who has access to legal counsel, to all those other entities out there that he can seek and draw on for advice. What about somebody working for \$3.80 an hour? And that's still the case here in Alberta. Do they have the same ability as that employer to go out and get counsel, to see that they're doing the right thing in order to protect their interest? Mr. Speaker, I fear not. That just isn't logical and doesn't make any common sense.

Perhaps the philosophical openings in the preamble are where the legislation is partially, if not totally, undone. The preamble, as far as I'm concerned, in this legislation is meaningless window dressing that does not address the concerns of working Albertans adequately. We looked at some of those concerns in part of the comments that I have made in regards to the preamble.

Mr. Speaker, if we look at the general holidays contained in the legislation in Bill 21, we see eight holidays. Is that the principle of fairness and equity that the Minister of Labour and this government promised Albertans? When you look at British Columbia's labour legislation with respect to employment standards, what do we find there, Mr. Speaker? We find nine holidays. When we look at the Northwest Territories, what do we find there? We find nine holidays. When we look at Saskatchewan's legislation, what do we find? We find nine holidays. Is this the fairness? Is this the 21st century that this government and this minister promised us? When we look at each province on Alberta's borders and find that they have nine holidays and Alberta only has eight, is that the fairness and equity that was promised by this government and this minister?

Secondly, Mr. Speaker, the minister, after his prepaid taxpayer holiday, stated in the final report of the Labour Legisla-

tion Review Committee that overtime agreements would be banned in his new Employment Standards Code. The minister knows that this issue was addressed by numerous Albertans who had been cheated by their employers out of their overtime, and by the most unscrupulous of employers that were doing this. The minister knows that many of those overtime agreements were drafted by his employment standards branch in order to deny overtime benefits and overtime remuneration to those employees. The minister knows that these overtime agreements were signed by employees under duress, for if they didn't sign them, they wouldn't get a job. And it's fine for the minister to say in his legislation that an employer cannot use this to intimidate or coerce or it can't be a condition of employment that an employer use an overtime agreement to literally steal from an employee, but didn't in his legislation, when addressing reality, say that those overtime agreements should be banned.

[Mr. Musgreave in the Chair]

The example that he gave was a nurses' example. I would certainly hope that a Minister of Labour can recognize that the majority of nurses in the province of Alberta are covered by collective agreements and fall under those collective agreements for reimbursement of overtime. Whether it's banked overtime, whether it's paid overtime, whether it's overtime in lieu of, they're always paid. So let's start looking at reality, Mr. Speaker, and not look as an example at nurses, who are covered not through employment standards but covered under collective agreements.

The minister knows the abuse that these overtime agreements give, an unfair advantage -- he knows that -- a tremendous unfair advantage for the unscrupulous employer that is abusing out there in competition with a fair employer who reimburses and treats his employees fairly, living up to the overtime provisions that are here under the law.

Finally, Mr. Speaker, the minister knows that the continuance of overtime agreements in the new Employment Standards Code is unfair and allows for a continuing abuse of working Albertans. Why did the minister renege on his initial promise to Albertans? Was it because the chamber lobbied him hard enough? Did he have difficulty with his caucus? Is that where the problem was? Why is this minister simply not prepared to be fair? What can Albertans believe? The minister's actions speak for themselves. For now, even in his employment standards legislation, any employee unfortunate enough or forced to sign an overtime agreement has to give one month's notice under the legislation to terminate an overtime agreement. Mr. Speaker, I ask you: do you consider that fair? Because I certainly don't, and I don't think Albertans, working Albertans, will find that fair.

Recommendation 22 of the final report of the Labour Legislation Review Committee recommended prorated benefits for regular part-time employees. The minister knows that this was a major concern expressed to him by Albertans. Is it fair that his new Employment Standards Code remains silent on a concern that was spoken to by numerous Albertans? Is that fair, Mr. Speaker? Why did the minister renege on this recommendation? How can the public in this province believe the minister or, in fact this government when they state publicly that they're for fairness and equity, but when we look at the legislation, the legislation speaks for itself as being neither fair nor equitable?

Another example of the unfairness in the new Employment Standards Code is the workweek. Mr. Speaker. Alberta still has

a 44-hour, straight-time workweek. That's five and a half days, eight hours Monday to Friday. [some applause] Here we've got, to my left, these Conservative backbenchers over here making a whole bunch of noise congratulating the minister on leaving 44 hours a week in this legislation: five days, Monday to Friday, eight hours a day; four hours on Saturday morning -- a six-day workweek. Where are we going? Are we going to get some fairness for working Albertans, or are we going to continue something that says that you've got to work six days and 44 hours a week straight time? Is that the fairness and equity that this minister and this government promised us? I guess it is. The problem must have been the caucus, because we've got some over here that think that's just great. Unfortunately, it isn't.

Mr. Speaker, this government is again out of step in attempting to bring labour legislation to the province of Alberta that would keep us in the 21st century, not back in the 19th century, when it was a major, major struggle to get that 40-hour workweek. The 40-hour workweek is an established fact in most democratic countries, yet this government and this minister still believe that Albertans should accept 19th century conditions. The fairness and equity this government promised to Albertans in their throne speech of 1986 promised a full and complete review of labour legislation in the province of Alberta. I'd like the minister to share with all hon. members of this Assembly the names of working Albertans who voted and wrote in in favour of keeping a 44-hour, straight-time workweek in the province of Alberta, a six-day workweek.

Let's look at the new Employment Standards Code, the new and improved Employment Standards Code, and that's in respect to the provisions that the minister spoke to in regards to the deemed trust provisions. That's one of the few areas of partial improvement: in those deemed trust provisions contained in section 110 of the code. But while this is a forward step, it does not secure for employees a measure of fairness and equity in the end result. Unless the employment standards branch takes active steps to enforce payment of orders, the legislation fails as a half measure. The issuance of an order by the employment standards branch does not secure anything for the employee without application to the courts for a judgment. When the employment standards branch issues an order, if the employer does not comply with the order, the employment standards branch should secure a judgment from the courts and actively seek to assist the employee in enforcing the initial order. If the employer does not comply with the order and pay the moneys owing to the employee, the employee must hire a lawyer to enforce the initial order from the employment standards branch. In most cases the employee does not have the financial wherewithal, doesn't have the resources, to go out and retain legal counsel. And more often than not, Mr. Speaker, the costs of those legal proceedings would exceed any moneys that that employee was entitled to through that order.

If we look at the fairness, if we look at equity -- is that what we call fairness and equity? And I think last year, when we went through the same things and through debates, what I suggested the minister do was set up a fund similar to the unsatisfied judgment fund, where those employees could be paid and where the government pursued an active course of action against those unscrupulous employers that are out there preying on the most unsuspecting of our population, in order to assist Albertans and help them get what they have entitled to them. The employment standards branch, Mr. Speaker, further does not fully support the employee in the total collection of these

moneys. The costs of collection should be charged to the guilty party, and the cost of those collections should be actively gone after by this minister and his employment standards branch. If the minister was fair, the process I spoke to would be the one that was adopted by this minister and included in the legislation.

Another problem, Mr. Speaker. If we look at the case of an employer transferring all the assets of a company to any other entity, including himself as a director, what can an employee do to collect his money? The employee is again forced to hire legal counsel which he cannot afford. And certain employers abusing the system, those employers are getting their labour for almost nothing. If the minister checked with his employment standards branch, he'd be able to verify that, specifically if he went and talked to his employment standards officers and asked them just who is getting abused and how that abuse continues.

Mr. Speaker, I look forward to debating the minister's new legislation in this Assembly. I look forward to debating it in the Committee of the Whole, when we can really get into some of the specifics. But I have an amendment that I would like to propose right now. I've got copies. If we can get a page over, we'll put them out for disbursement.

Mr. Speaker, could I read the amendment into the record?

MR. ACTING DEPUTY SPEAKER: Yes, Member for St Albert, read the amendment, but also we'd like to have a copy of it for the Table.

MR. STRONG: Thank you, Mr. Speaker. The amendment simply reads that

this Assembly decline to give a second reading to Bill 21, Employment Standards Code, because it fails to achieve the goal, set out in Her Honour the Honourable the Lieutenant Governor's speech of June 12, 1986, of assuring "that the laws of the province, for the present and for the future, will be responsive to the needs and aspirations of employers and employees."

SOME HON. MEMBERS: Question.

MR. ACTING DEPUTY SPEAKER: If the House would just wait a minute till I hear from legal counsel before we proceed. The amendment appears to be in order, so the debate can proceed.

The Member for Edmonton-Avonmore.

MS LAING: Thank you, Mr. Speaker. I rise to speak to the amendment as proposed by the hon. Member for St Albert.

Mr. Speaker, this government in its 1986 throne speech committed itself to looking at and to meeting "the needs and aspirations of employers and employees" in the province of Alberta. And although this Bill may address and be responsive to the needs of employers, it misses much of the needs and aspirations of employees in this province, especially women employees. I would wonder if the minister in his world tour with his task force indeed did address the needs specific to those women who are in the paid labour force. So today, in speaking to this amendment, I would address my remarks and most of my concern in relation to women employees, women who are in the paid labour force.

In 1986 this government committed itself to equality for women and that it would actively promote the full and equal participation of Alberta women in the life of this province. Mr. Speaker, this Bill must be amended because it does not do much for the women of Alberta. It does not address the facts of women's participation in the labour force. It does not address the

lack of pay equity that we have in this province, the lack of equal pay for work of equal value. We know that women in this province earn approximately two-thirds of what men earn, and nothing in this Bill ameliorates that condition. But we know that the reality of this pay inequity for women brings about in some real sense a disenfranchisement for women in this society from their full participation in society, from their ability to live full and meaningful lives in a dignified way.

We may hear many excuses for the lack of pay equity, for women's low pay in this province. We hear things like lack of training of women workers, lack of commitment of women workers, absence from the work force for periods of time when they have children. But these factors do not address anywhere near the full differential in pay that women receive, on average, with men, and indeed many of these excuses are based on false information.

Research indicates clearly that women in the paid labour force are educated as well as if not better than men, on average, in the labour force. These excuses do not explain why a woman with a university degree would earn the same or less than a man with a grade 12 education or why at university women with equal qualifications, experience, and publishing records earn substantially less than men with equal qualification. We can see that this can be put down to nothing other than discrimination. In the civil service we see that 49 percent of the civil service are women, but less than 14 percent of management are women. That has changed; it has changed from 6 percent in 10 years. Perhaps this minister in his whirlwind tour could have looked into some of these inequities and could have in this Bill done something toward correcting them.

But the biggest excuse we hear about women's economic inequity is that women are segregated into low paying jobs and that it is their choice to be there. We hear a whole list of fallacious reasons: that they have low skills -- well, we know that's not true because we've studied their educational experience; that they want short hours -- well, that's not necessarily true; that they need flexible hours -- again, we're not convinced of that. But there are a couple of other excuses. One is that women are better at certain of these jobs, like child care, or at monotonous tasks. Again, we know that this is simply not true. The remedy suggested is that women move into nontraditional jobs, but, Mr. Speaker, job segregation is part of the pay inequity problem. It comes out of the undervaluing of the work that women traditionally do, of the lack of recognition and valuing of their skills. So to say that the segregation indicates less skilled or less deserving pay is in error. More importantly, we can ask: if women move into nontraditional jobs, who would do this traditional work in segregated jobs? If women aren't doing this work, who will do it? It is essential work. Will men be doing it? Will they be willing to do it for the wages that women are paid? Or will it in fact be that if these jobs become male dominated, the wage rate will improve significantly?

If we are going to have a labour standards Act that is committed to supporting women's participation in the work force, then the issue of pay equity must be addressed. It is not good enough to blame women for their lack of economic equity. We must look at the real reasons and address them. We very clearly need legislation, a labour standards code that will correct this inequity. It is not good enough to say that people don't understand pay equity or affirmative action, that such measures would address only part of the problem. In fact, it is true that pay equity and affirmative action won't correct all of the inequities, but such legislation is a positive and concrete step, and it's a

step on the road to correcting the inequity that women experience.

This Bill does not recognize women's unique role in society. Even as women participate in the paid labour force, they are primarily responsible for child care. I must applaud the minister; this Bill does go beyond maintaining maternity leave benefits and includes benefits for a parent of an adoptive child. This is very important. I think we need to recognize the bonding that needs to occur. But this Bill does nothing to address the unique needs of mothers who are in the paid labour force. I would look to the provision of a 12-hour workday with only one day off in a week. How can mothers provide for child care, provide mothering under such conditions of employment? These provisions fly in the face of this government's commitment to the family. Indeed, how could a father be involved in parenting if under such conditions? A member across the way recently called for an examination of legislation as to its impact on family life. He of course referred to divorce legislation and may have been referring to Social Services' legislation. Well, I think this government would be well advised to evaluate its labour legislation in the context of its commitment to families and to children.

In addition, where is the provision to allow a woman in the labour force to meet her child's needs, say, when a child is sick and needs to go to the doctor or is in hospital? I would ask that we have legislation that would allow a parent -- instead of having to use up their sick leave, there would be provision for leave for parental responsibility, and this would apply to fathers as well as mothers. Again, we need to see a commitment to more flexibility in the workplace to meet the unique needs of women in the context of their role as mothers and as child care givers. As I've said, fathers would also benefit from such legislation.

Another unique feature of women's participation in the labour force is part-time work. Such practices hearken back to the age-old belief that women work only for pin money or because they're bored at home and that they really don't need the money at all. Of course, this is not true. Part-time workers need to be protected. They are not protected in this Bill, and I believe it is a serious omission, especially for women. In 1953, 3.8 percent of the labour force was part-time workers. In 1986 that was almost five times as much, at 15.6 percent, and we hear that it's increasing. We hear that significant numbers of new jobs created are part-time. But there is no protection.

Most part-time workers are women: 77 percent of Alberta part-time workers are women, and 25 percent of Alberta women in the labour force are part-time workers. Of those women, 30 percent want full-time jobs. For these women, accepting part-time work with its lack of benefits including sick leave and maternity leave, with its lack of job security, with poverty-level wages, with reduced holiday pay is not a matter of choice; it is imposed upon them, as is the attendant poverty for themselves and their children. What we need is pay for part-time work that is equivalent to the pay for the same work on a full-time basis. We need prorated benefit packages and vacation pay. Again, we hear that vacation pay for part-time workers is calculated at the minimal amount allowed, not at the rate that is being given to full-time workers. Surely this is fundamentally unfair.

Part-time work imposes additional hardships on women as well as it does on men, in that it is unpredictable and unscheduled. So how does a mother provide for child care if she is on call? We do not have any such thing as on-call child care. Day cares do not provide this kind of service, and it is hard to get babysitters and expensive to get babysitters. What of the after school needs of children, and what of the child's needs for

mothering if she is called into part-time work for the hours that the child is at home?

Part-time work as it is presently practised means chaos and hardship for workers, especially women, and in its implementation is manifestly unfair to employees while it is providing much benefit for employers. We hear of workers who are eligible for an increase in pay after so many hours worked having their hours reduced until the worker quits because the worker can no longer afford to live on the amount of money earned, or they are laid off without the benefit of a separation slip; that is, they're just not called in to work again. This Bill does not address such abuses.

In addition, we need to address the issue of pensions and their relation to part-time work. The poverty of elderly women has been well documented and is attributable in part to lack of adequate pensions due to women's unique work history and their participation as part-time workers. The federal government task force in 1983 called for part-time workers being included in pension plans on a prorated basis to include 35 percent of their yearly maximum pensionable earnings, as it is described in the Canada Pension Plan Act. Many part-time workers are not included. We therefore need to include all part-time workers in pension plans.

Mr. Speaker, this Bill has failed to live up to this government's commitment to women as part-time workers. In addition, one can ask: how does this Bill address the rights and the needs and how does it protect domestic workers? This is a growing phenomenon in this society, and predominantly it's women that are domestic workers. Once again the government has failed to recognize the needs of women. We have to ask: are they covered in regulations or are they the forgotten workers?

What about people who work out of their homes? Are there any protections for them? I would also ask: why are farm and ranch workers excluded from this Act? In some parts of this country 60 to 70 percent of seasonal farm workers are women. So again I must ask: why are they excluded from this Act and from the protection of this Act? This Bill, and so much of what goes on in this Legislature, fails to address the unique role of women in this society. It fails to address legislation, including labour legislation, from the perspective of women.

[Mr. Speaker in the Chair]

When the minister spoke earlier of the worth and dignity of all Albertans, I believe he may have failed to fully include women in his consideration. Women's poverty and economic equity has been documented and recognized. We even have a so-called study -- and I use the word "study" with some trepidation -- so it sounds more like cozy discussion groups in which the ill informed will confirm the misconceptions of the ill advised. This study on economic equity and how it can be achieved will cost the citizens of Alberta \$70,000. But this Bill has done nothing to address that issue.

So even the government recognizes that we have to do something for women, but this Bill fails to address the many issues and practices that have a specific impact on women. It fails to live up to the commitment given by this government in 1986, over two years ago: its commitment to equality for women and its commitment to actively promote their full participation in the life of this province. Therefore, I would move a subamendment to this amendment.

MRS. MIROSH: What about women staying at home?

MS LAING: That's their choice. If they would like to do that, I would fully support them. The hon. member wonders about women who stay at home. I would suggest that the Labour Standards Code isn't applying or expected to apply to women who are staying at home. It applies to women in the paid labour force.

MR. FOX: It's a different kind of labour at home.

MS LAING: That's right. It's unpaid for the most part.

MR. FOX: Labour has two meanings too.

MS LAING: Yes, it does -- at least.

I would like to read the subamendment. I would add to the amendment

and because it contradicts the statement of government commitment, set out in the same speech, that the "... government is committed to equality for women and will actively promote the full and equal participation of Alberta women in the life of the province".

SOME HON. MEMBERS: Question.

MR. SPEAKER: There's a call for the question on the subamendment. Just a minute, folks.

Edmonton-Gold Bar, speaking to the subamendment?

MRS. HEWES: Yes.

MR. SPEAKER: Thank you.

MRS. HEWES: The subamendment only or the amendment . . .

MR. SPEAKER: The subamendment only.

MRS. HEWES: Subamendment only. Mr. Speaker, I have many comments about the Bill in general. I have no hesitation in saying that I can support the amendment and the subamendment, and I will therefore address my comments primarily to the subamendment if that is your direction, Mr. Speaker, at this time.

This Bill has made some small improvements over its predecessor in that it did respond to small business in a different way. However, I think that in doing so, some of the needs of the employees, particularly women employees, have been lost. It's a sad commentary that in attempting to improve the Bill and deal with the needs of small business, the government did not see fit to live up to some of its other commitments and promises of times past.

Mr. Speaker, 68 percent of women in paid employment are non-unionized. They tend to be employed in lower skilled positions. Minimum provisions in employment standards are often the actual working conditions for women in our province of Alberta. I would have hoped that this Bill would have addressed in very clear ways some of those long-overdue mechanisms that are in place and that should be corrected.

Unlike some other speakers, Mr. Speaker, I have felt that the potential for the compressed work week could be of benefit to families if it is properly applied and properly used. I believe that it does in fact tend to respond to the reality of today, to the reality of shared work and the desire for more flexible time, but

I am concerned that in placing it in the legislation, there are insufficient protections for employees who may have this thrust upon them unwillingly. There are some real problems with the potential for it being exploited. Likewise, I've felt that giving three weeks' vacation after five years has been a good move for family life, and I think it's one that could benefit women as well.

But I am concerned, and I believe one of the major flaws is that in the section on minimum wage we find there is no mechanism provided for a continuous review. This particularly disadvantages women, Mr. Speaker, who find themselves in frequent positions of never being able to claim any more as their wage than minimum wage.

Let me just comment for a moment on parental benefits. This is section 60 of the new Bill, offering maternity benefits at 17 weeks, a reduction of one from the former proposal. It is my view that parents should be allowed an additional 24 weeks of parental leave. I will at a proper time present an amendment in this regard so that an additional amount of up to 24 weeks in addition to maternity leave could be granted. In considering parental leave, I'm also talking about adoption leave. Now, these 24 weeks could be shared. It's not 24 weeks each for mother and father, but they could be shared by both parents, allowing for a particular kind of bonding and sharing of the addition of new members of the family.

Mr. Speaker, I also believe the section suggesting that adoption leave be available only to parents for children under three years is a grave error for both mothers and fathers. Adopting children of over three years often requires considerably more time for bonding, more attention to the needs of the child than when adopting an infant. So I believe those two are disadvantages to women.

Mr. Speaker, section 73 has also been spoken to. This hit particularly hard at women. This government for whatever reasons that seem unfathomable to me, has continued to resist the idea of pay equity in our province even though it appears to have good acceptance in many other parts of the country. But here again we see in section 73(a) the whole business of part-time and temporary workers. Now, women account for 77 percent of all part-time positions in our province. Twenty-six percent of all women employed hold part-time positions; 28 percent -- the latest statistics I can get for this is 1985 -- of all employed women have held their jobs for less than one year. These women for the most part don't receive even the marginal benefits provided under employment standards. I believe this legislation does absolutely nothing to redress this issue whatsoever. I would have thought that the minister, in taking the time between Bill 60 and Bill 21 to review the legislation, would have come to the understanding that this is missing, that this is an error, and that it will not serve us well. Whether we're talking vacations -- and again we're talking mainly women, Mr. Speaker: part-time people, yes; temporary people, no. Why can't they have 4 percent of their earnings towards their vacation? Notice of termination: again we find "no" if the individual has worked less than three months. The same with severance pay: no, if the individual, usually a woman, has worked less than three months.

Mr. Speaker, then we come to the phenomenon of the three-month wonders. These are women who are employed in marginal positions at minimum wage who work one day less than three months and are given notice. There's nothing required. They're simply not invited to come back: no severance pay available to them and no vacation pay. I believe that has been a

very serious flaw in this particular Bill, as it was in Bill 60. Women should have equal opportunities. The labour force is dependent on women in order to continue, and we simply are not giving them their full due, Mr. Speaker. I'm astonished that the minister did not recognize that

The other mechanisms in Bill 21 related to such things as leave for sick relatives, education leave, and so on, I believe again militate against the capacity of women to serve in the labour force, to achieve a reasonable wage, and to be able to support their families, which, as we know, is increasingly the reason women simply are forced to work.

Mr. Speaker, I have many other comments about other sections of the Bill. I've restrained myself to a few very brief remarks on the subamendment of the Member for Edmonton-Avonmore, and I'll have other comments later when we get back to the amendment, if I may.

May I, in view of the hour, beg leave to adjourn?

MR. SPEAKER: The hon. member has requested leave to adjourn debate. Those in favour, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: The member may continue, then, to adjourn the debate.

Edmonton-Gold Bar.

MRS. HEWES: Mr. Speaker, I'll keep the rest of my remarks until I have an opportunity to speak to the amendment.

MR. SPEAKER: Thank you.

Calgary-Forest Lawn, on the subamendment.

MR. PASHAK: Thank you, Mr. Speaker. The substance of the subamendment is to make the objection that Bill 21, the Employment Standards Code, contradicts the statement that was made in the throne speech that the government is committed to equality for women and will actually promote the full and equal participation of Alberta women in the life of the province. Clearly no one could be in disagreement with the statement that appeared in the throne speech, but in order to achieve this goal, solid affirmative action is required. This is particularly absent with respect to Bill 21.

Mr. Speaker, women started out in life -- at least that's what they tell me -- with an extreme socially determined disadvantage. It was not too long ago that only property owners, for example, had the right to vote, only property owners had political rights. So women, along with most workers, were clearly outside the political process. But after significant struggles on the part of working people, workers began to achieve rights for themselves, and I might point out that those struggles are still going on and that even as late as the 1930s bitter industrial disputes were fought in North America.

Women themselves began to get organized at the turn of the century into various political movements. You can think of the suffragette movement; you can think of the temperance movement. But they're still substantially behind with respect to men when it comes to advantages in North American society. Women are significantly below the average; full-time women

wage earners are significantly below in terms of the income male workers get. Even when it comes to the university communities, where you'd think there'd be some enlightenment, even with the most recent part of the women's movement, women still have lower rates of tenure. They have fewer opportunities. They're less likely to be promoted up the academic rank system. In teaching, for example, there are very few women who are high school principals in comparison to their numbers in the teaching profession. Even here in the Legislative Assembly we can see that women are at a disadvantage proportionately to the number of men that are here. I think it's some small achievement that there are three women cabinet ministers, but they're far outweighed by the number of male counterparts. Even in my own political party I look around and I see . . . [interjection] Four. Sorry; I beg your pardon.

Even in my own political party I only have three women colleagues, I believe.

SOME HON. MEMBERS: Shame.

MR. PASHAK: I think it is. It's a matter of shame, and we try to address that at our convention. We constantly bring in resolutions that insist that there be equal representation of women on our important and key committees and on our executive.

Now, I think we should go back a little bit and look perhaps

at the nature of these struggles that women have participated in. I was fortunate enough, Mr. Speaker, to be dragged, kicking and screaming, to an art show in the city of Calgary called The Dinner Party. Now, I don't know whether many of you were able and fortunate enough to attend The Dinner Party, but it was an exhibition organized basically by Judy Chicago and a lot of women from women's collectives across North America, and in fact there were some men that contributed to the production of The Dinner Party, I believe. It was really instructive to go there, especially to go in the company of two ardent feminists who were out to disabuse a normal, I suppose, Albertan who has grown up in this province of any male chauvinistic tendencies he might have had, at least intellectually. It was really something to begin to try to look at the problems that women in contemporary society experience through this historical perspective, and it's really clear that if there are reasons why women do not occupy equally the same positions in society that men do, it's because of a long history of repression. Men have been able to organize against women, and that's come about, of course, Mr. Speaker . . .

MR. SPEAKER: Order. The time is 5:30. The words "dinner party" ring a bell in the hearts and minds of all of us.

[The House recessed at 5:30 p.m.]