

**LEGISLATIVE ASSEMBLY OF ALBERTA**

Title: **Monday, June 6, 1988 8:00 p.m.**

Date: 88/06/06

[The House resumed at 8 p.m.]

[Mr. Speaker in the Chair]

**GOVERNMENT BILLS AND ORDERS**

**(Second Reading)**

**Bill 21**

**Employment Standards Code**

[Debate adjourned on subamendment to motion for second reading, June 6: Mr. Pashak speaking]

MR. PASHAK: Thank you very much, Mr. Speaker. When we adjourned debate, I was trying to make the case that this government Bill, Bill 21, is incompatible with the throne speech, in which the government pledged that it was committed to full equality for women. I argued that certain affirmative action measures were necessary to realize this equality and that certain changes to Bill 21 might bring this about. I'd started to look a little bit at the history of the subordination of women. In trying to argue that it's because of that history of subordination that affirmative action measures are necessary, I'd considered the fact that women weren't allowed to vote in this country till well into this century. In fact, they weren't even considered persons by the Senate until the 1920s.

Certain reasons have been advanced for this. Some have argued that women are just simply less mentally endowed than men, that they don't have the same creative potential that men have, and they point to creative composers like Beethoven, Mozart, whomever you care to name . . .

MRS. CRIPPS: That's blasphemy.

MR. PASHAK: I'm going to show you the opposite of that in a moment to show you that these are really myths, that in fact women do have all the potential, and that in fact it's men who historically have suppressed women. When we look at it from that point of view, then we can see why affirmative action, such as measures that could be put into Bill 21, would be necessary.

I mean, they point to people like Alexander the Great and Napoleon and maybe even Hitler and say, "Where are the women who have ever been that adept as military leaders?" Or they point to scientists like Galileo and Newton and say, "Where are the women who are Newtons and Galileos?"

AN HON. MEMBER: Joan of Arc.

MR. PASHAK: Well that's one argument: that they're just simply less capable than men mentally, for whatever reason.

The second argument, Mr. Speaker, is that women are less physically strong than men -- although I don't know about that on occasion. In any event, the point is that the women do in birthing make themselves vulnerable for rather extensive periods of time, so men have been able to take on tasks within their communities that have given them more power and more status and more prestige.

Another argument that has been presented to try and account for the fact that women aren't as successful as men in contemporary life -- and I think we could agree on that; I presented some evidence to support that contention before the dinner break -- is that in fact men troupe in groups whereas women tend to be more singular in their approach to life, that men enter into arrangements with each other, that they belong to clubs, and that they support each other and promote each other. We see, maybe, examples of that in terms of the way people are appointed to cabinets or to positions within industry or even within universities. You have an old boy network that operates, and men know how to promote their friends into positions of power and prominence and prestige.

Just before the break -- we talked about dinner, if you recall, and that reminded the Speaker that perhaps we should adjourn for dinner -- I mentioned The Dinner Party, which was an art exhibition put on in North America. It was quite an extensive exhibition.

MR. SPEAKER: Thank you; let's not regurgitate comments from this afternoon.

MR. PASHAK: Well, thank you very much, Mr. Speaker, for reminding me of that.

But I was just trying to point out that I never got to the heart of what was in The Dinner Party, so to speak, what was really on the plate at the time, which is that that was a clear demonstration that women in all walks of life have made notable achievements. Somebody mentioned Joan of Arc. I mean, there was a very capable military leader, if you want to look at her in that . . .

MR. YOUNG: Point of order, Mr. Speaker. Standing Order 23 states that:

A member will be called to order by Mr. Speaker if that member:

- (b) speaks to matters other than
  - (i) the question under discussion.

Mr. Speaker, the question under discussion is a very narrow one. It is why or if or how this Bill contradicts a certain section of the throne speech. That has got nothing to do with Joan of Arc or any other historical irrelevancies. That has to do with a very, very narrow point. The hon. members have chosen to debate the narrow point, Mr. Speaker; let them proceed to debate the very narrow point.

MR. SPEAKER: The Chair has allowed a certain amount of latitude for the Member for Calgary-Forest Lawn to sort of set the background to his comments, but 10 minutes' worth is sufficient background. Now, to come back to the subamendment, thank you.

MR. PASHAK: Well, thank you very much, Mr. Speaker. I'd like to thank the hon. Government House Leader for bringing that matter to my attention as well.

Well, back to the Bill then. I've been arguing all along that women need certain affirmative measures and that they could have very easily been included in this proposed Act Bill 21. I'd cite, for example, under division 10 of section 2, leave for pregnant employees, just by way of example, where some kind of affirmative action could have been considered. It says that if an employee has been employed for a continuous period of 12 months, then the employee is entitled to an unpaid leave of 18

weeks. I was trying to point out earlier, just to tie it back in and make my earlier remarks relevant, that one of the things that has held women back historically is the fact that they've been pregnant; they've had to take themselves out of whatever action is going on. This is as true today as it was then. When women are pregnant, they have to leave the work force under unpaid conditions, as Bill 21 permits. Mr. Speaker, what I'm trying to argue here is that if we were really interested in full equality for women, it wouldn't be an unpaid leave of absence for women in that situation; it would be a paid leave of absence for women in that situation, who are pregnant.

Not only that; there should be some provision in this Bill 21 that would allow women who absent themselves from the work force because of reasons of pregnancy - that they can come back in and regain the position they occupied in a company at the point at which they left to go through their pregnancy. In fact, in a more enlightened society you'd get not only paid leave for the mother, but you'd get paid leave for the father as well. That could easily be incorporated into Bill 21. If you argue, "Where would we get the money to do this," I'd just point out that if we've got \$15 billion so the little boys can play with their toy nuclear submarines under the Arctic icecap, we certainly have money to pay for unpaid paternity and maternity leaves both.

DR. WEST: On a point of order, Mr. Speaker, under section 23 of Standing Orders, relevancy to the matter at hand. This is drifting completely out of control, and now we're into submarines and federal budgets and everything else. I'd just like it back on track.

MR. PASHAK: Mr. Speaker, I was just trying to anticipate his argument, because he usually says, "Who's going to pay for it?" I was directing, actually, that remark particularly to the Member for Vermilion-Viking, yes. Thank you.

MR. SPEAKER: To the subamendment, hon. member.

MR. PASHAK: Also, women need greater benefits and protection than men do, because of discrimination in the workplace. Because of other discriminations women are less likely to achieve higher education; statistics bear that out. So they're socially discriminated against, and that means that when they go out looking for jobs, they need even more protection than for men. and I see an absence of those protections in Bill 21. For example, women are often the last hired. They're the first fired. When they are hired, they're likely to be relegated to lesser roles in the employment structure. Sure, we increasingly are putting some women into cabinet ranks, we're putting some women under the boards of directors of corporations, but I think women see that clearly as a form of tokenism.

Women in the work force are becoming increasingly marginalized. They're the ones who take on the part-time work, and there's more and more of that happening. As department stores cut back on their full-time employees, as grocery stores cut back on their full-time employees, as even community colleges cut back on their full-time employees, it is, generally speaking, the women who become part-time employees, and they're the ones who don't get the benefits. They lose out and they become, then, dependent on men with full-time jobs to transfer benefits, including pension funds and all that sort of thing, to them. So women are increasingly becoming marginalized in this society, and Bill 21, if it was a liberal piece of legislation, could have

addressed those issues, Mr. Speaker. There should be a section, in my view, in Bill 21 that would bring about this equality that was promised in the throne speech, that would guarantee that a certain percentage of jobs in all of these areas -- in department stores and in supermarkets -- would be full-time positions. We've got to reverse that trend. I think that those members on the opposite side who are always talking about the sanctity of the family and the rest of it should understand that it's measures that encourage part-time work that destroy the possibility of people earning the kinds of incomes that make family life possible.

MR. DAY: A point of order, Mr. Speaker, citing *Beauchesne* 309, in terms of reading speeches. We fully understand that there's a very intentional move afoot just to delay progress of proper discussion on this Bill -- a waste of taxpayers' money and a waste of our time. The member opposite takes considerable opportunity to spend a length of time, every 30 seconds or so, referring to the speech that was written for him, and he only glances up about every third or fourth word to blurt out another little phrase. I wonder if in this case, given the fact that we would like to get on with the debate, *Beauchesne* 309 could be used. I appreciate the fact that you've always given us a great degree of latitude on this, but maybe under the circumstances the member could bring it into consideration.

MR. PASHAK: Point of order, Mr. Speaker, on the same point.

MR. SPEAKER: Member for Calgary-Forest Lawn.

MR. PASHAK: If the member would come over here and look at the notes that I've written down, he'd see that it would be impossible to read this speech. I don't think anybody . . .

MR. DAY: Impossible to understand it too.

MR. SPEAKER: Thank you, hon. members. With respect to the reading of speeches there has indeed been a great amount of latitude shown in terms of the House. Now, two years . . . [interjection]

MR. SPEAKER: Thank you, hon. member. We don't need that interjection.

MR. MARTIN: Well, it's true.

MR. SPEAKER: We don't need that interjection either.

. . . that hon. members now two years into the life of this Legislature have no excuse, really, for having to have speeches prepared to be read verbatim. The Chair does not really see that this is entirely the case with the Member for Calgary-Forest Lawn. The Chair is, indeed, certain that the member will continue to be able to make his remarks without following his own written notes too closely.

The other matter is that surely we don't need to spend this whole night doing points of order up and down in terms of whatever the flow of parliamentary practice will be this evening.

MS BARRETT: On a point of order, Mr. Speaker.

MR. SPEAKER: Which point of order?

MS BARRETT: The same point of order, on the reading of

*Beauchesne* 309.

MR. SPEAKER: Hon. member, that point of order has been decided.

Calgary-Forest Lawn.

MR. PASHAK: Well, I just wanted to refer to the general outline of my remarks, Mr. Speaker, from time to time, if I may be permitted.

In any event, I was speaking of the problems of women in general. I would now like to turn to the problems that immigrant women in particular experience with respect to equality measures. Because of language barriers they're often forced into the lowest paid jobs that are available in society. They often do some of the most dangerous work that's available to women, in chemical industries . . . [interjections]

MR. SPEAKER: Order in the whole House, please.

MR. PASHAK: . . . in plastic industries, and that kind of thing. Sweat shops are notorious for employing women under hazardous and very difficult conditions, and often they're, of course, subjected to sexual harassment in the workplace as well, which is another problem.

Then when it comes to trying to seek some kind of recourse for this situation, most people are not familiar with the terms that are spelled out in Bills such as Bill 21. I don't know of any employer that sits down and reads to his or her employees all of the rights that they have embedded in a piece of legislation such as this. So women in general experience difficulties knowing what the law is and what the law is that applies to them, but that's a particularly acute problem -- see; I'm not reading -- for immigrant women. In addition to that, many of these immigrant women come from countries that have very harsh, very authoritarian governments, so when they come to a country like Canada -- although our courts and our policemen are usually fairly friendly and helpful, or they tend to be that way, at least -- they really are very reluctant to challenge anyone that they see in a position of authority. So they're doubly and triply and quadruply discriminated against.

If we were genuinely interested, Mr. Speaker, in trying to introduce measures of affirmative action that would bring equality, as the throne speech set out, then we'd have to look at introducing measures like that into Bill 21. I think there's some ample evidence that in the past a lot of actions have been launched with respect to labour standards issues and very few of them have ever been resolved satisfactorily on the part of people who've launched those actions. I'm not sure if these statistics are correct. Perhaps the Minister of Labour could set the record straight, if he cares to, when he concludes the debate on the amendment or at some point during debate on his Bill. But I understand that only five or six cases out of literally thousands that have been launched by individuals were ever satisfactorily resolved on the part of individuals.

I'd just like to say something else about vacation entitlement. We have two weeks that are provided for employees that've worked for one full year, for 12 months, in the legislation. I'd just like to point out that in many countries of not just North America but of the western world -- the Scandinavian countries, West Germany -- it's not uncommon to find all employees entitled to a full month and a half of vacation pay each year, annually. This goes a long way to reducing structural unemployment in those countries . . .

MR. YOUNG: Mr. Speaker, I'm sorry, but on a point of order, referring again to section 23(b)(i), speaking to the relevancy of the issue at hand. The number of weeks of vacation pay has nothing to do with the argument in this amendment because the number of weeks of vacation pay is exactly the same for men or women. The member is spending time in the Legislature wandering far and wide and not staying on what is, I submit, a very, very narrow point in this subamendment.

MR. MARTIN: Mr. Speaker, on the point of order. Maybe the ex-Labour minister should look at what labour statutes mean. He's talking about part-time workers. Clearly, vacation pay has very much to do with the lack of what's in this Bill. So I'd suggest that the minister should listen a little more carefully, and he'd know what was going on.

MR. PASHAK: Is there a ruling, Mr. Speaker? May I just keep going? In the sense that I think . . .

MR. SPEAKER: No, hon. member, thank you.

The Chair has been reviewing the *Précis of Procedure* of the House of Commons and the trouble with subamendments. The practice in the federal House comes back to this:

Debate is restricted to the words added to and/or left out of the original amendment by the subamendment; i.e., subamendments should be strictly relevant to the amendment they seek to modify, and not merely to the original question.

So we have this whole difficulty of trying to focus in on the subamendment. We have a Bill before us. There will be ample time to discuss the Bill. We have now gone to a reasoned amendment and that has now moved past that to a subamendment to the reasoned amendment. Therefore, since members of the House, with all of the exercising of their full rights, have gone to the matter of subamendments, then all parts of the House really have to be much more careful about dealing with the subamendment, because indeed there probably will be more discussion allowed in terms of various stages of the debate.

Calgary-Forest Lawn.

MR. PASHAK: Just by way of conclusion, Mr. Speaker, I'd like to address the issue that was raised by the hon. Government House Leader because it is important that women, especially women with young families, do get a longer holiday period to spend more time with their children. It's in that sense that I was arguing for an extended holiday period. I don't think it's -- you know, sure, the way our system works right at the moment, the longer you work, the longer your holidays. In some respects this is ridiculous. A very young woman with young children should have the longer holiday period to spend that time at home and with their family. I think that would be in the better interest of the whole society; that is, if we're interested in the public interest and if we're really trying to introduce measures that would bring greater equality to women in the workplace.

So I'm sure that the Minister of Labour paid rapt attention to everything I've said and he's going to incorporate all of those suggestions into a revised draft of the Bill.

Thank you very much, Mr. Speaker.

MR. SPEAKER: Call for the question on the subamendment  
Leader of the Opposition, on the subamendment.

MR. MARTIN: Yes, Mr. Speaker. The subamendment as you'll notice, deals with the fact that we do not want to see sec-

ond reading of this Bill. This is why we're hoping at this particular time that it will be defeated, so it's not a foregone conclusion that we will move to second reading if the subamendment was passed. What we're saying: it shouldn't get second reading specifically because the government said in the Speech from the Throne that it's

... committed to equality for women and will actively promote the full and equal participation of Alberta women in the life of the province.

Well, Mr. Speaker, I think it comes down to, with Bill 21, that talk is cheap whether it's spoken or written, because this particular Bill does nothing to enhance the equality of women and full participation.

I'd like to zero in on four different areas in which Bill 21 does not add to the full participation of women. First of all, we asked and pursued and pushed this government, and finally they did raise the minimum wage -- it's not coming due till September 1 -- to \$4.50 from \$3.80. We were the lowest in the country and then we moved up, you know, in a generous way. We hadn't had an increase since 1981; we moved up to \$4.50. This minister must be aware, then, that many, many of the working poor and people who were at the minimum wage were in fact women. When you discriminate at that level, you're going to have a bigger percentage of women than you are men. What we suggested to this minister and what we hoped would come forward, so that people wouldn't have to wait another seven or eight or nine or 10 years, is that we look at some sort of indexation in terms of the minimum wage. It would not break the province. It would give people more purchasing power, and other provinces that have a higher minimum wage certainly have less unemployment than we do, Mr. Speaker.

So we would have thought that if you wanted to be fair -- and this is what we're saying in this Bill and the Bills that are coming forward, that above all it should be fair and it should be specifically fair to women. If they were serious about the new Bill, Bill 21, the Employment Standards Code, they would have done this. Because I would point out that while both the minister's Bills that are coming forward are important -- there's no doubt about that -- this one is just as important as Bill 22 because it probably affects more workers than Bill 22 does. You're dealing with a whole range of the working poor. You're dealing with the unorganized. Unfortunately, Mr. Speaker, I would say to you that a good percentage of these happen to be women. As I say, if this government was serious about fairness and equity to women, that's one of the things they would have brought in in this particular Bill.

The other area I want to allude to is something that we've talked about a lot on this side of the House, that if this government, again, wanted fairness, they would have gone ahead and done it. That is pay equity, Mr. Speaker. Now, the government says, "Oh, yes, but we're going to spend a study." They've got a new term now: economic equity. We tried to find out what it was, and from question period we find out that that particular study is just a stalling process. My questions to this minister made it clear that this government in the near future has no intention of bringing fairness to women and bringing in pay equity. I say to you, Mr. Speaker, that people who say that it doesn't work are just not right. I say to you that it's only Conservatives, because most other people now recognize that it's fairness. They know it's fairness and equity. It's only the Conservatives that try to turn back the clock. This is coming; at some time it will even be safe enough for the Provincial Treasurer to bring in.

Now, Mr. Speaker, the reality is that this is another area that if this government was serious about their throne speech, where they said they're "committed to equality for women . . . will actively promote the full and equal participation," then surely we could have looked forward to a pay equity aspect to this. It doesn't have to be all done overnight, but other provinces are moving. We always say we're the first. Yes, we're the first. We're going to be the only province in Canada that doesn't have one after the next election in the other provinces, when they get rid of Conservative and Social Credit governments.

The other area I want to talk about just briefly, and my colleague alluded to it, is the area of domestic workers. Mr. Speaker, this is a growing industry, but unfortunately these people often have no rules or regulations of what to live by. As my colleague pointed out, many of them come from language problems; they come from different cultures. Other provinces have moved, in similar Bills, to protect these people. Again I, for the life of me, do not understand why this government couldn't do this minimum sort of level for these people. Again, almost all of them are women and many of them not even making the minimum wage. But when we find out from this minister -- I don't know what good it does to have a Bill anyhow, because they don't enforce it. The labour statutes we had before: they prefer to work with the criminals, Mr. Speaker. When people are breaking the laws in other areas, the law is supposed to punish them, but this minister says, "Well, gee, we prefer to work with them." So it's probably irrelevant what we have here if you're not going to enforce it. This has been proven in this Legislature in question period, has shown that there was a crying need for enforcement. But at least I would have looked forward, as other provinces have done, to recognizing domestic workers.

Finally, Mr. Speaker, the last area and perhaps the most important part of this Bill that is lacking. In fairness, the minister says in question period -- I'm of course talking about part-time workers -- that maybe in the statutes there might be something. Well, we can't debate the statutes here. We have to see what's in the Bill. Now, this has been for a long time a way that people could discriminate against women, was to put them into part-time jobs. It's not new. You can look at the department stores in this province and other parts of the country; they're notorious. I know of a woman who has worked in a department store for 25 years. She's been working full-time in terms of the hours, and she's still classified as a part-time employee. As a result of that, she doesn't get any benefits at all. She doesn't have a pension; she doesn't have all the other things that we take for granted. I think that's a crying shame, that in this modern age, not only the 20th century but moving to the 21st century, this is still the case. Why it is very serious is that because of this government's policies with privatization and other avenues, you're going to see more and more part-time employees. Unfortunately again, if I may say so, a predominant number of those people will be women.

It seems to me that it's not good enough to have it in the statutes, because in the statutes we find out that that doesn't mean anything if you don't enforce them anyhow. This should have been laid out. I know there's reference to pensions. That's at least a step in the right direction, but we should be dealing with all other benefits, whether it be vacation, health, other benefits. Mr. Speaker, if we're saying that we're moving towards a seven-day week, as we have here, if we're saying that we're going to privatize, if we're saying that we have to be flexible in the market and all the rest of it, what that ultimately

means is that there'll be more and more part-time employees. The result is, then, if that's the case . . . If that's a deliberate economic policy on behalf of this government, then surely in this Bill there should be that protection.

So, Mr. Speaker, in terms of the subamendment this particular Bill is bad for a number of reasons. But it's especially bad because it's going to affect the working poor and the unorganized, and it is not giving them any protection. I say to this minister, to this government, that the predominant number of those people will be women. So instead of solving fairness -- I would have thought this government would want to be fair and would want to follow what they said in their throne speech, that they believed in equality. There are many other other reasons, but those four things are not solved in this particular Bill. As a result, there should not be second reading of this Bill. It's not good enough. It's not a fair Bill for women; it's not a fair Bill for the unorganized; it's not a fair Bill for the working poor. If the government is going to set out in certain economic directions, then they have to have that protection for thousands and thousands and thousands of Albertans. I would say to members opposite, Mr. Speaker, that you have the numbers here to defeat the subamendment, to defeat an amendment, but again you have to ask these people: "Deep down do you really believe? Do you really believe that Bill 21 . . ."

AN HON. MEMBER: Yes.

MR. MARTIN: Well, some of the backbenchers over there, who are right of Attila the Hun, probably do. But I expect there are some thoughtful members in the government House too, and they understand that when you bring in Bills like this, you'll pay a political price if you're not being part of what's happening in society. Anybody that can sit there and say that this is fair to women, it's fair to the unorganized, and it's fair to the working poor -- and they can honestly say that -- then I just don't believe they are in the 20th century, maybe not even the 19th. Probably Charles Dickens was their hero, Mr. Speaker. For that reason, I think this Bill should not be read a second time. Surely this minister can do much better, but I expect the minister knows more. I expect it's because of the Member for Stettler and attitudes like that that he has to bring in this regressive piece of legislation.

MR. SPEAKER: Edmonton-Strathcona.

MR. WRIGHT: Thank you, Mr. Speaker. I felt I should lend my puny weight to this Bill, because I just have the impression that not everyone is entirely convinced of the propriety and soundness of this amendment. But it is a very sound amendment. I want to say that the Bill itself is not too bad; that's why we don't want to see it defeated. But equally, we want to see it amended before it's passed, and that's why we suggest that it not now be read a second time, to give the people on the government side a chance to take it back and do what is necessary by way of amendment.

The subamendment we are particularly speaking to refers to an item of faintheartedness, to put it at the most polite level -- hypocrisy, to put it at another and more severe level -- represented by the terms of the Bill on the one hand, measured against the assertions in the Speech from the Throne in June of 1986 on the other, from which session this Bill in the end sprang. Because Her Honour the Lieutenant Governor said on that occasion, on I think June 12 of that year, 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.

But the labour standards themselves say nothing in that direction, do not bring in any sort of a regime of affirmative action, and it is so very necessary.

At least we can say that on the books -- and so far as I know, it is in force -- we do have equal pay for equal work, but we do not have the next step, which is equal pay for work of equal value. The one is pretty useless without the other, for the reason that women get ghettoized into jobs. You know all of this as well as I do: secretarial, cleaning, waitressing, laundry, repetitious factory work, office work in general, nursing, day care help, and so on, teaching aids as against professors, and those sorts of areas in which women predominate at a wage that is quite disproportionate to others in different work but which on any rational basis is no more important.

The argument is made, Mr. Speaker, that it is impractical to try and compare different work so that it is an impractical notion to say that women should be paid according to a scale of equal pay for work of equal value. But the facts seem to show otherwise. In those jurisdictions such as the federal jurisdiction in which the rule is in operation, the reports are favourable, that criteria that make sense and can be fairly objectively assessed work and are applied and are starting to redress the imbalance in pay between men and women. That imbalance is remarkable.

To make my point so that you will understand that this is an amendment which is very worth while and which has me convinced and ought to have all hon. members convinced, I will just run over some of these facts of disparity that the Bill should be addressing and is not. For example, the figures I have are from a pamphlet put out in February of 1985 by the Canadian Advisory Council on the Status of Women. I haven't been able to find a more recent one, but I suspect the figures are not much different there, Mr. Speaker.

In September 1984, about 60% of all employed women were in clerical, sales or service occupations. The clerical sector had the largest proportion [of female labour] -- nearly one third of the female labour force. About 18% were employed in service occupations and about 10% in sales.

So that is completely disproportionate from the numbers for men, and we can notice that the areas in which men predominated in employment were those which had, of that group, the high salaries.

... in September 1984, only 8% of employed women were in managerial or administrative positions.

In the public service of Alberta the position is even worse, and I'll come to that in a moment.

In 1981, there were 52,730 women, compared to 19,215 men, who were working without pay on a family farm or for family-owned businesses.

Differences are more noticeable within particular age groups and education levels . . . Men between 35 and 44 years of age with a university or first professional degree earned an average of \$33,500 [as far back as 1981], compared to \$17,475 earned by women within the same age group and with the same level of education.

One can, I think, presume that that gap has narrowed somewhat in the intervening seven years. The indications are that it is narrowing slowly, but that was a truly extraordinary disproportion then, and it needs to be narrowed, obviously, much, much more. In fact, it needs to be eliminated, the difference. A nurse with 15 years of formal education makes the same, on average, as a city bus driver with 10 years of formal education. That is a typical sort of statistic that this amendment takes notice of, and all

members should search their hearts and consider how they should address and should cure this sickness. This Bill does nothing in that direction at all, Mr. Speaker. As I say, in many ways it's a good Bill and better than the existing one, but it should be improved in this respect before we read it a second time.

Within the Alberta public service, Mr. Speaker, to bring it really close to home, the lack of pay equity laws, which we say should be in this Bill if it is to be read a second time, really shows the problem. It took from 1978 until 1985, the figures show, to narrow the gender gap from 63 percent to 68 percent. Then a slide occurred, one understands, such that the average salary of women in the public service was only 67.7 percent of the average salary for men in the public service. You understand I'm talking about men as being 100 percent, and women have slid back from 68 percent to a little less in 1986, the last year that we have the figures for. Without legislative mechanisms in place I suggest it's virtually certain that there will be no lessening of the gap, or very minimal lessening. As it is, at the present rate that gender gap, as it's called, in wages will not disappear until the year 2030. It must happen much, much sooner. It's a scandal that it hasn't happened already or will not happen in the next year or two. But it certainly won't happen in the next year or two or before the end of the century unless this Bill addresses that crying shame.

Women in the Alberta public service earn some \$10,259 per year less on average than do their male counterparts, and yet there is no remedy in this Bill. Recent figures show that 28 percent of all the men in public service are management, and only 4 percent of women are management in the public service, compared to 8 percent generally in Canada in management. I mean, 8 percent is shameful anyway, but this is half of that. Alberta is one of two provinces, the other being British Columbia, where on average women with university degrees, including those with two or more degrees, earn less than men with some or complete high school education.

There's no end to this, Mr. Speaker, in the way of shameful figures showing the gap between men and women, what they're paid, and what their positions are. Surely -- surely -- this Bill should be amended to take account of that. It's all the more of a tragedy in that 85 percent of all single-parent families are headed by women and 60 percent of them live below the poverty line.

Indeed, in terms of education it seems that in Canada women are slightly better educated than men, yet the growth occupations for women are the low-payment occupations: bookkeeping, accounting clerks, secretaries, tellers and cashiers, salespersons, waitresses, and the like. In the remaining occupations, the growth areas there are for men, not for women.

MR. SPEAKER: The subamendment?

MR. WRIGHT: Yes, I believe I'm completely sticking to the last on that, Mr. Speaker, because I'm pointing out the reasons why it is so necessary to have legislation which addresses the disparity in earnings between men and women; i.e., to call the government on its promise in 1986 in which it said that it is committed to equality for women and will actively promote the full and equal participation of Alberta women in the life of the province.

The figures and the facts I am quoting, Mr. Speaker, show that that is just window dressing, that promise. There is indeed a world of inequity to be addressed there which this Bill is not

addressing with respect to the position of women compared to those of men in employment. The labour standards of this province can do so much to address that, and yet they are not.

A 1987 study shows that pay equity would save untold millions of dollars for the public purse because of the reduced need for personal income support programs, health and child care subsidies, housing support programs, social welfare, and so on. So it's not entirely a matter of decency. If it were entirely a matter of decency, that still would be a perfect recommendation. But in fact it is a matter for the pocket, too, as well as the heart.

I conclude by repeating something from a United Nations report. This exaggerates the problem in terms of Canada, but it gets to the kernel of the problem in principle. Women, this report concluded, constitute half of the world's population, perform two-thirds of the world's work for one-tenth of the world's income, and own less than one-hundredth of the world's property. This Bill does nothing to address any of those problems, Mr. Speaker. For that reason the subamendment should carry, and certainly the amendment should carry and thereby second reading postponed until this problem is addressed.

MR. SPEAKER: Edmonton-Calder.

MS MJOLSNESS: Thank you, Mr. Speaker. I rise to support the subamendment to the amendment on Bill 21, the Employment Standards Code, because this Bill is contradicting the commitment made by this government in the Speech from the Throne in June 1986. As stated in the amendment, it says:

... "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".

Then it goes on to say in the subamendment 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".

Well, this is of concern, Mr. Speaker, because we've got the statement in a throne speech from this particular government but this Bill does not address or even show a commitment to that particular statement. There are many women in this province that are working full-time, and many are working part-time. I think this government too often refuses to take action to make things more fair, to make things equitable for women that are working in the work force. We're talking about fairness; we're not talking about anything else besides fairness. I think there's a tremendous amount of inequities in the work force when it comes to women. My colleague from Edmonton-Strathcona outlined many of the statistics that prove that this is the case.

Now, I know that this government has refused to act on pay equity, and I think that's a shame. They state that they are going to look into it; they're going to solicit responses from Albertans, from women all over the province, so that they can -- they don't use the word "study," Mr. Speaker, but that is in fact what they're going to do, is another study. Because we already have evidence; we have facts that demonstrate very clearly that there is a need for pay equity in this province. Now, when we take a look at the various statistics -- again, my colleague from Edmonton-Strathcona did take a look at them and alluded to them -- they are startling. One of the figures I find very startling is that almost 50 percent of working women are working solely to support themselves and their families. And 60 percent of single-parent families which are headed by women live below the poverty line, as opposed to 10 percent of single-parent families headed by men. So I think this is something we must keep

in mind when we're speaking about pay equity.

Another statistic that is very alarming, Mr. Speaker, is that the percentage of women who are heads of poor families has increased from 12 percent in 1961 to over 36 percent in 1985. Also, the number of children living in poverty rose by 23 percent between 1980 and 1985. Now, these particular figures are Canadian figures, but in fact the trend is also very evident and very applicable to this particular province. Because here in this province, when we take a look at the figures that demonstrate what's going on in this province, our record is very dismal. When we talk about the wages that women are working for in comparison to men, we know that the wage gap is very great indeed. The Member for Edmonton-Strathcona has alluded to that, that it's 65 percent, that women make 65 cents to every \$1 that a man makes. I think this is shameful. When we're talking about this wage gap, we have to consider that women are working very hard to make ends meet for their families, that many are single-parent families that are headed solely by women, and that their children and themselves are living in poverty. This is shameful. Again, the trend has increased in the province in terms of those people living in poverty. I think we need to address this problem, and one of the ways in which we can do that is through pay equity and is through this Bill.

Now, this Bill 21 does not deal with pay equity at all. There is no mechanism in this Bill that would enable pay equity to become a reality. But in view of the facts of the comments made by the minister responsible for women's issues, we can see why the government is objecting to pay equity and they're not moving in this area. However, I feel that Bill 21 gives the government an ideal opportunity to begin to deal with the inequities out there in the workplace when it comes to women, and they have passed this opportunity up by presenting a Bill that doesn't deal with pay equity at all. Again, Mr. Speaker, in their throne speech they make a commitment to this. They make a commitment to "full and equal participation of Alberta women in the life of the province." So I guess we could say that talk is cheap. I think that's exactly what we're seeing when we see these wonderful statements that the government comes up with, but when it comes right down to taking action, we don't see the action in the legislation they present. So that's one of the reasons that we must, and the Assembly should, support the subamendment: because this Bill is not living up to the commitment that it makes in the Speech from the Throne.

When we look at other startling figures that pertain particularly to Alberta, Mr. Speaker, we have to look at part-time workers, because in this province 71 percent of all part-time workers happen to be women. So when we're talking about "full and equal participation of Alberta women in the life of the province," we have to take a very hard look at the part-time workers.

Now, in the reports of the Labour Legislation Review Committee, it said:

that the Code [should] set out the rules for regular part-time work, and in particular, the provision of applicable pro-rated benefits.

Well, Mr. Speaker, if we take a look at Bill 21, we know that the government has failed in this area as well. This statement presented by the review committee addressed certain areas that are very, very important and need to be addressed. But when we take a look at the commitment made in the throne speech to women in this province, that commitment is absent in Bill 21. So once again one has to wonder: if the labour review committee is making a recommendation, yet that recommendation is not

expressed in the Bill, what exactly is going on? But again the government has failed to take an opportunity to deal with part-time workers and to address the issue of wages paid to part-time workers. The Bill does address the concern of pensions, however, which is quite positive. But it doesn't go far enough. Because what about the other benefits? The Member for Calgary-Forest Lawn this evening alluded to the vacation pay, which is very much an issue, and there are other benefits as well. So once again, Mr. Speaker, another reason why we should support this subamendment.

Now, a document that I'd like to refer to, because the government refers to it on various occasions, is their document *Caring & Responsibility*. Out of the area under Principles comes one principle that I think is worth noting tonight, and that's the second principle, which states that

government policies and programs must recognize the paramount importance of the family as the basic unit of our society and the diversity of family structures, and must support and strengthen the role of the family in Alberta society.

Well, many women are working in the labour force on behalf of their families. They are involved, I believe, in the work force because they feel that will be beneficial not only to them but also to their children and to their families. Again, when we take a look at statistics, Mr. Speaker, if women did not work outside the home, 61 percent more families would be poor. Whether we're talking about full-time workers or part-time workers, again, many of these women are working for very low wages.

Now, the government's document *Caring & Responsibility* states that the family is important. Yet where in Bill 21 does the government turn these words into reality and take action in this particular area to strengthen families? Because if we had pay equity, for example, it would strengthen families; it would give them support. So this is very much needed, because we are talking about promoting full and equal participation of women in this province. Again, if women were earning what is fair and what they deserve, their lives would be enriched and they would have a better quality of life for their children. I think we would be making a statement that women are equal and that they should be treated equal, if this Bill 21 expressed the concerns the government so easily writes down in their documents and in their speeches to the people of Alberta.

Mr. Speaker, families need stability and they need security as well as fairness in regard to wages. But when we're talking about women in the work force, we must look at being flexible so that we can meet the needs of many of the families and many of the women that are working. Because family structures are changing and their needs are changing. I think we have to recognize this, especially when it comes to the work force and in the job market. I think we have to look at being flexible in terms of implementing job-sharing arrangements. We have to take a look at giving workers opportunities to work part-time, but working part-time should not be an opportunity to enable us to exploit workers who choose to work part-time.

In order to give women full and equal participation in society, we have to take a look at high-quality, flexible child care to meet their needs as well. And, Mr. Speaker, we have to look at parental benefits. This is included in Bill 21. Certainly this government has addressed it in their Bill, but when you go through it clause by clause, you'll notice that it doesn't meet the needs, and I'm sure it doesn't reflect the needs of most working families and working women. So I think this is an area that we could expand on and certainly could improve on a great deal. I think that if we're committed to women and we believe they

should have full and equal participation in society, these are some of the areas we have to address.

Mr. Speaker, with that I would urge that all members support the subamendment to the amendment. I think there's a lot of improvements to be made, and if we're genuine in what we're saying, if the government is genuine in what they're saying in a lot of the statements they have made, they will consider supporting the subamendment, because their statements are not reflected in this particular Bill.

Thank you.

MR. SPEAKER: Calgary-McKnight, followed by Edmonton-Highlands.

MR. MUSGREAVE: Mr. Speaker, I just want to make a few brief comments. I can't support this motion because while I agree with the objective of the motion, I think there are better ways of doing this.

First of all, in the matter of education I think young women in particular are not going into nursing as much as they did formerly because they have the ability and the energy to take up medicine. So we see a much greater number of women in medicine than we did previously. Similarly, in the professions of engineering and law and accountancy we see far more women than we did previously. Any of you who travel on the airbus as many years as I have would notice a significant change of women carrying briefcases, obviously becoming an important part of the work force. Similarly, the role models we adopt in our school curricula in promoting children into various kinds of education is another area in which we can move in this regard. I feel that even looking in this Assembly -- when I came here in 1975 we had two female members, one in cabinet and one not in cabinet. Today we have 11 members in this Assembly. We have four in cabinet and seven that are not. I suggest that's an increase that's gone from 2.6 percent in 1975 to 13 percent of the total number of the Assembly today, and the Assembly in the same period of time has gone from 75 to 83 members. I know there are those who'd say, well, that's not enough. I agree it's not enough, particularly if you're a woman at home raising a couple of children. But I had a phone call on the weekend from a man at home who's responsible for not one or two children but eight all by himself. He's a student at university trying to improve his education. So I'd suggest that it just isn't the women alone who have these difficulties.

I'd like to make a couple of comments with regard to the Member for Edmonton-Strathcona. We seem to be passing these statistics back and forth. According to recent StatsCan data, the marital status of women and men is the important part of pay equity. Currently, of unmarried men and women over 30, the men make exactly 1 percent more than women. Unmarried women with college degrees are actually making 10 percent more than equivalent males, so it is changing. Women are better educated. Women do work harder. Women do perform better in industry, and industry is recognizing that. But to suggest, as the hon. Member for Edmonton-Gold Bar did, that because other provinces are doing it, we should do it -- in the province of Ontario they're going to have a pay equity office that if necessary, if there's a dispute, will refer the matter to a pay equity hearings tribunal. And this is the interesting part the people in the tribunal will be unencumbered by prejudices which those with only the direct experience of running an industry would be harbouring. In other words, those people in the marketplace, who have to live with the marketplace and suffer

the problems you get if you don't perform properly, are going to be displaced by teachers who have no hangups about whether the marketplace can produce the money or not. So these are the kinds of situations we'd be getting into.

Mr. Speaker, I'd like to make one other comment. The head of the Economics Department of the University of Saskatchewan said that.

Using the power of government to eliminate . . . what in his opinion was

. . . transitory discrimination is like using a Sherman tank to blast open a door. A lot else of value is likely to get hit in the process.

I would suggest that wherever possible the government should ensure that when women have the ability and the educational qualifications and all the rest of it, they should be treated equally as far as job opportunities. I think it goes without saying that if a woman is a deputy minister and a man is a deputy minister, obviously if their experience, background, and everything else is the same, the salary should be the same. I'd suggest that is the way to go rather than bringing in hundreds of civil servants who don't have to worry about the bottom line. It's very easy to say that the government should do this. Sure, the government should do this, but what we would be insisting by upgrading or increasing the salaries of the part-time workers and all the rest of it -- you may ensure that those jobs are going to disappear, because the businesses would not remain competitive and they'd be put out of business.

MR. SPEAKER: Member for Edmonton-Highlands.

MS BARRETT: Mr. Speaker, I'd like to join the debate on this subamendment. Ordinarily I would like to see a subamendment that would be allowed to instruct the government to add this notion to the Bill, but the amendment itself says "send it back" basically, so the subamendment must also say "send it back." The reason it needs to be sent back is because the Bill itself is seriously deficient. What it contains is not essentially offensive. It is what it does not contain that is offensive to reality in the 1990s.

The Member for Calgary-McKnight mentioned some statistics from Statistics Canada in his argument for not supporting this amendment. I will undertake to go to the library immediately after I conclude my remarks this evening to check further the statistics the member cited. I do not know if he had the statistics for the Alberta work force, but I do. They're published in a document entitled Characteristics of Women in the Labour Force: Selected Data, Canada and the Provinces, produced in 1985 by Statistics Canada, which indicated that women consistently earned less than men even when broken down into their education categories.

So for the record I would show that in Alberta women with zero to eight years of education -- that's primary school education -- showed earnings of \$12,553 on average compared to their male counterparts with the same range of education coming in at \$22,191. Now that you understand that, I'll give the education category and then the women's earnings on average and the men's earnings on average. I'll proceed quickly to show that for those with some or complete secondary education, the ratio was \$15,031 per year compared to \$25,929. For those with postsecondary education, the figures were \$17,733 compared to \$26,158. For those actually holding a diploma or a degree, at least one, the figures were \$18,945 compared to \$28,396. I beg your pardon. Those people did not have university degrees; it's

postsecondary certificates or diplomas. When it came to possession of university degrees, one or more, the figures were \$25,395, an average woman's earnings by 1982, compared to \$36,825, the average male earnings, Mr. Speaker.

Now, I don't even think this is necessarily relevant unless we take into account the fact that some of those people may have been working part-time, and I'd like to make that the thrust of my argument in support of this amendment. I do believe that the Bill itself contradicts the statement of the government commitment in the Speech from the Throne inasmuch as if it does not address part-time work and the need to prorate certain benefits in part-time work, this will more frequently affect women than men. I'd like to point out also that the trend in the 1980s -- and I'm sure it will continue to be the trend in the 1990s -- as was established some decades ago, is that women increasingly are finding employment in the part-time work force, not the full-time work force. Now, the statistics I gave you a moment ago, Mr. Speaker, dealt explicitly with Alberta. There was only one other province that actually showed a more offensive track record, and that's British Columbia -- no surprise. But the figures I have now are Canadian figures, and they also come from Statistics Canada.

What I see is that in 1975 there were 687,000 women working part-time in Canada. That grew by 1983 to 1,177,000 women. For the men's perspective, it would be from 1975, 301,000 working part-time, to 1983, 475,000. Now, women as a percentage of the total in the part-time sector constituted 69.5 percent in 1975 and by 1983 constituted 71.2 percent of all those working part-time in Canada. In 1983, 26.2 percent of women in the work force were working at part-time jobs. The male counterpart to that would have been 7.6 percent. So I think you don't need many more arguments to show you that while the Employment Standards Code is not exclusively designed to address women in the workplace, in fact its implications will be more seriously felt by women than men in the workplace because women have come to constitute the greater proportion of those working part-time. It is true that the Bill, of course, addresses more than those who work part-time, but inasmuch as it does, it really is a status quo Bill, Mr. Speaker. And because it doesn't show that commitment that was uttered in the Speech from the Throne, I think it needs to be sent back and worked on. I would rather that I don't have to make this bid. I don't want the government to think that everything in Bill 21 is bad. It is simply that it doesn't do enough or go far enough.

In making that bid to the government under consideration of this subamendment, I point out that statistics also show that where you do not have programs to ensure sufficient income at one level, Mr. Speaker, it actually costs more at another level. A good example would be the absence of a notion of prorating contributions, let's say, to the Alberta health care plan, or instilling that those contributions shall be cost shared and prorated for part-time workers and, similarly, making excursions into Canada Pension Plan contributions. Now, the reason I would argue that makes sense is because if you have a large group of people, primarily women, working in the part-time labour force -- and remember, it's part-time employment that tends to be the trend right now, not full-time employment -- and they cannot contribute to the national pension plan, the Canada Pension Plan, or its provincial counterpart, the QPP, what happens is that when they get older, in fact those people have to rely on other services, not just subsidized health care premiums and not just Social Services but often other services that could have been avoided and are shared by all the taxpayers. It seems to me the

smarter route would be to ensure that women and men are earning fair wages in our society and able to contribute to a social policy which will ensure that they are not consigned to poverty in their old age.

I do note that as of January 1985 -- and I am going to go to the library and see if I can get an update on this in a little while as well -- the average income for a woman from either the Canada or Quebec pension plans was \$164 per month; for a man it was \$259 per month. Now, it is not that the CPP or QPP discriminate on the basis of gender. Neither of those plans do, nor can they. They do, however, make payouts on the basis of the contributions that had been submitted over a period of years. What this indicates, Mr. Speaker, is that women have been earning a lot less than men and that's why their pension benefits are so relatively small compared to men's. And maybe the argument would be placed that there is a role for the private sector there. Well, private pensions are not providing the answer, Mr. Speaker. Only 30 percent of employed women are enrolled in private pension plans, and that's with government employee plans included.

Then I have a look at poverty, and I say, "Well, if we had a commitment to women in Alberta, we might also be able to take a more direct attack on poverty, to eliminate it at its source -- that is, the family income -- and, as a result, not have to spend as much on other programs after the fact which, indeed, can be more costly." They're not just more costly in actual dollars, Mr. Speaker, although you could make that case. They're more costly in the accumulative dollars, the reason being that when a person sits down at night and goes through her or his cheque book, there's no charge to anybody for her or him having balanced that cheque book and, you know, allocating the money discretionary and nondiscretionary on the basis that the person decides is right. But if you have to ask people who are living below the poverty line to go to, let's say, a housing agency to have part of their housing costs offset or put into subsidized housing, or if they have to go to the health care insurance plan and get forms filled out so they don't have to pay their premiums, or if they have to go to the Social Services department to get guaranteed income support, or if they have to call upon the other programs we in Alberta and in Canada have, the additional income support programs -- all the people who administer those programs are being paid to administer them, as they should be, Mr. Speaker, but the fact of the matter is: why do that when you can have people engage in greater self-sufficiency, provided they have the income to do that?

I point out that while the trend of poverty is declining somewhat with respect to women, it is not very fast, and the rate of poverty is still out of whack on a gender basis. Forty-two point nine percent of those families headed by women lived in poverty by 1984 -- and that is a Canada figure -- and 11.3 percent of families headed by a male lived in poverty. So the ratio is about four to one. And I certainly don't argue that impoverishing men is the answer, as you can well imagine. I am, after all, a social democrat. I believe the issue is to raise everybody up, not push one group down.

[Mr. Musgrave in the Chair]

It won't surprise you that the trends in unattached individuals are not that different. They appear to be changing at a slightly faster rate, but in any event by 1984, 43.3 percent of unattached women were living below the poverty line compared to 32.4 percent of unattached men.

So my argument is that the government is sort of penny-wise and pound-foolish. If you're going to bother separating Bills and rewriting them, why don't you rewrite them with the long-term goal in mind? And why don't you write them with the commitments your government has made publicly, even in this sitting of the Legislature, so you don't have to put up with a lot of fights in second reading? It's my purpose, Mr. Speaker, at this point to set the tone for the direction we would like to see the government take when we get into committee reading of this Bill. As the Leader of the Official Opposition said earlier, we know who's going to win this vote if the government members vote as a block, and I have no doubt they will. You know, that's the way it happens, I guess, in a parliamentary democracy: you runs your race and you takes your chances.

On the other hand, it seems to me that if we didn't walk in here with our minds made up that we will defend a Bill at all costs or reject a Bill at all costs -- and I do mean both ways. Because as you know, Mr. Speaker, I have voted in favour of many government Bills and I have spoken in favour of many government Bills, and it is not my intention to change my habit in that regard when the Bills are good. But if we can convince through second reading, which deals with the principle of the Bill, that it is not that it is an ugly, mean, nasty, repressive Bill all by itself but it fails to address those parts of our lives which could be addressed and fixed, then maybe the government will come in with a different attitude in a few days' time or a few weeks' time when we get into committee reading. As the House leader of the Official Opposition, I can assure the government members that if they were willing to entertain some of the progressive measures that are available so we can both accommodate the comments of the Speech from the Throne and get a good Bill passed, they would have the co-operation of the Official Opposition New Democrats.

We don't fight for the sake of fighting, Mr. Speaker. We fight on behalf of those who ask us to do that. That's why we have to support this amendment. It doesn't mean that it's a non-confidence motion. There's nothing so horrible about it. Government members could agree to not accept it and to try to rework it so it would have provisions which conform to the commitment of the Speech from the Throne and, in the meantime, help out not just women in the work force but all people in the work force, many of whom are poor, many of whom have little protection.

I'd like to add some comments as well to those offered by the Leader of the Official Opposition with respect to protection for domestic workers, Mr. Speaker. During the last year and a half I've had a chance to meet with many of those domestic workers, foreign workers particularly, and they are exclusively women. They would like to see the government uphold its commitment to pursue equality for women inasmuch as women should actively belong and participate equally in the life of Alberta. One of the things they would like to see is the same sort of thing we look for in child care centres, and that is either a limit to the number of children one looks after for a set wage or a legislated policy which would ensure that if they're looking after more than, say, two toddlers in the same household, they be given an incremental increase guaranteed by legislation for that additional workload. I think that's a fair request, and I think it would go a long way in showing that the government is committed to equality for women in being sensitive to women who work in particular industries.

As you know, it's absolutely the truth that the growth occupations for women are in the service sector, and if it wouldn't

violate *Beauchesne* citation 333, I'd hold up my StatsCan book with all its pictures and graphs and charts and show you that, Mr. Speaker. But you can trust me; it's all in there in a StatsCan document called *Women in Canada: A Statistical Report*, published in March of 1985. The women who are in that growth sector are also the women who are earning in the minimum wage area. They are also the people who are more frequently part-time than full-time employed and who would benefit from a substantial change to Bill 21 which would make the Bill conform to the government's commitment as set out in the Speech from the Throne.

Finally, Mr. Speaker, I'd like to be specific in calling for some ideas that would help conform the government's commitment from the Speech from the Throne to Bill 21, and that is not necessarily to turn the world on its head but simply to include some protection for all people in the work force when it comes to arbitrary layoffs -- I know I deal with a lot of constituents on that problem -- and which if not actually legislating an increased minimum wage and if not actually legislating equal pay for work of equal value, which I would be glad to accept as a government amendment, at least addresses the issue of benefits so that those who are working part-time can have equal access to benefits, including health care premium contributions employer/employee shared and including fairness with respect to vacations and vacation pay in the name of not just fairness but common sense in the long run. Because what you don't pay for now, Mr. Speaker, you're going to pay in spades for later on, and that's the penny-wise, pound-foolish notion I've been trying to impart in my comments in support of this subamendment, which I think is eminently worth the support of all members of the Assembly.

MR. ACTING DEPUTY SPEAKER: The Member for Edmonton-Belmont.

MR. SIGURDSON: Thank you very much, Mr. Speaker. When I was first elected and had the honour of first serving in this Assembly, the Leader of the Opposition asked me to look after a group of people who may correspond with the Official Opposition, who weren't covered by any particular department, and that was to look at the area of youth in Alberta. At first I wondered why I was given that assignment, and I guess it's because I'm probably one of the few members of the Legislature that still does not purchase Grecian Formula.

But when I looked at a number of areas that fall into that area that may be specific to youth, a number of them affected males and females in very different ways. If we look at some of the specific areas that come to mind, Mr. Speaker: auto insurance, and how that affects males while they're under 25 and single and doesn't affect women that are under 25 and single. Youth unemployment has a higher effect on young men than on young women. However, that changes with the course of time.

One of the areas I've looked at and looked at in a long and hard way is the area of education, both the basic area of education and postsecondary education. I've very much enjoyed the kind of interaction I've been afforded with a number of young people, both in their educational setting -- the educational environment of the school -- and in the political environment as well. It's often interesting to analyze or to be able to take a look at the different responses we get with different age groups and the gender within those age groups. We look at young people, especially on the high school level. I had the opportunity to visit a high school in my constituency not all that long ago, and

a group of grade 12 students were just about to leave high school. I saw the difference in attitude between young men and young women changing somewhat. But for young men there seemed to be fewer barriers. They saw less discrimination. They thought that because they had greater physical strength, in that physical strength they were given power. Because they were educated young men, they thought with that intellectual strength, with that intellectual ability, there was some security.

Well, the young women are changing as well. They, too, see that physical strength is not necessarily a limitation. It's not necessarily a barrier for them anymore, as it may have been only a few short decades ago. Young women today know full well that their intellectual power will overcome any limitation that may be imposed upon them by the lack of physical strength. That, Mr. Speaker, is a very important change, and it's a change I think all of us welcome.

We look at the changes of jobs, the number of women that are entering employment in what are known as nontraditional areas. There are women that are working in the railway yards, railway workers at the Calder yards; fire fighters in some jurisdictions; police officers and welders. All these nontraditional areas that women are entering, Mr. Speaker, are important because women are entering them. The positions are not necessarily being made available for the women -- far from it. In fact, I'm sure there are some of those people employed in those areas or managing those particular jobs for people that would prefer not to have women employed in those areas. However, the fact is that women are challenging those positions and challenging some of those managers and actually opening up those jobs for themselves, and I think we ought to congratulate them.

But even with those challenges women are making in non-traditional areas, even with that sense of independence that perhaps may not have been there a few decades ago, there's still a measure of uncertainty for so many women in our society today. That measure is still there. It's a greater measure than it is for young men in our society today. Why is that uncertainty there? Why is that uncertainty there in a greater degree for young women today than for young men, Mr. Speaker? I couldn't answer that, and certainly there are probably all kinds of books on the topic that would give me some kind of indication as to why young women still have a greater sense of uncertainty about their economic future than young men do.

But rather than go out and investigate through the usual academic way, what I did was go to a primary method of research. And wanting to bring more people into a democratic process, I sent out a questionnaire to the young people that had graduated last year, from last year's graduation class. I asked a number of questions. I asked about what they were doing, how they felt about their economic condition in five years from now and 10 years from now. I asked questions about employment, and what kind of wages they earned. The responses were really quite amazing. There was such a wide range in the return, a range that, quite frankly, I didn't expect. I found some of them to be quite distressing. I found some responses to be extraordinarily exciting. There were those that were extraordinarily optimistic and hopeful of the future that they were hoping to have in this province, and then, Mr. Speaker, there were those that were, regrettably, so very, very pessimistic.

But the level of uncertainty in the responses I had from the questionnaire, the greater degree of uncertainty, came from the young women that responded to my survey. They weren't sure if they were going to be able to fully participate in the economy. If they were employed in the private sector with a firm that af-

forded them the opportunity to participate, they weren't sure they were going to be fully remunerated to the level that recognized the ability or the productivity they were offering their employer, whether it was in the public sector or in the private sector. And perhaps one of the areas this Act fails to address is that there's no provision in here, no provision in this Act, Mr. Speaker, that addresses the need for equal pay for work of equal value. It's not in this Bill, and when it's not there, regrettably that balance that ought to be in place for those people who are going to be covered under this piece of legislation doesn't exist.

Is the bookkeeper or the timekeeper or the person that does input into a computer of less value than an individual who happens to physically handle the product that's going to be sold? Do we base our sense of value systems on that which is tangible versus what is intangible? Can we only provide some kind of recognized remuneration system for those workers who happen to touch or move things about, those things that eventually will be sold for profit, as opposed to those who only -- and I say "only" with emphasis -- maintain records, for those who only have positions that are somewhat more difficult to measure in degree? Well, if that's the case, then it proves that there isn't balance in this legislation, that it isn't fair for everybody that's covered under the particular piece of legislation we have before us.

But there's another age group out in my constituency, in all our constituencies, that has a greater degree of economic uncertainty: women that are older, whether they're employed or unemployed, working in the work force or working at home. They have a greater degree of economic uncertainty. If I may, I'd like to address some of the points I find in my constituency from women that have returned to work in primarily part-time occupations. Some of them have gone out because they wanted extra income and needed extra income; some of them just wanted out of the home. But then there were those that quite frankly needed to get out of the home as well.

There were some women in my constituency that went out and worked part-time because their husband, who had been the traditional provider over a long period time, had been laid off during the construction industry. Now, for those women that had gone out and for the most part had found again that part-time work, they saw in very short fashion that the levels of pay were extraordinarily different. Even though they were contributing in an equal way to the profit margin of a particular product, their level of income was much, much different than those who perhaps were doing something more physical in providing for that level of productivity. For the most part, as clerks in stores, especially in areas in retail outlets that are unorganized, women are paid so much less than men. Why? Why is that? Why the pay difference? Well, primarily it's because they're not organized. But this Bill doesn't address the organized. So the second reason, Mr. Speaker, is because primarily the work force happens to be made up of women.

This Bill could have gone a long way to recognize equity. It could have provided for a sense of fairness for the present and, indeed, for the future, as the Honourable the Lieutenant Governor stated in this Legislature during the throne speech. But it doesn't. And that's why the subamendment proposes to give an additional instruction to the amendment, so that we can refer back, so that we can go back and take a look. The Member for Calgary-McKnight stood up and said that things are changing, that times have changed. Indeed, yes, they have. For those women and men who see that the times have changed, and for those that have actually had the times changed, isn't it wonder-

ful? Aren't they well off, and aren't we thankful for that? Times are changing, and we're hopeful that for the majority they're going to change soon enough.

But there are those many people out there that the times won't be changing fast enough. They may not even be changing in their lifetime. It's for those people that we must perhaps pull, kicking and screaming, those who are less progressive, those who are less concerned about the well-being of the unorganized in the work force -- it's those people, Mr. Speaker, that we must drag into the next decade.

MR. ACTING DEPUTY SPEAKER: The Member for Edmonton-Beverly.

MR. EWASIUK: Thank you, Mr. Speaker. I, too, want to rise and speak in support of the amendment that's been advanced by the Member for Edmonton-Avonmore. I particularly want to support the amendment because there's no doubt in my mind that the member is a committed and dedicated person who has done a great deal of work in the area of helping women in the work force and women generally. I think it's quite appropriate that she should be making this amendment. It is worthy of support, knowing of course, as I say, of her commitment and dedication to this field.

Mr. Speaker, this evening we have heard statistics against statistics. We've heard statistics on both sides of the spectrum. While I'm sure all the statistics that were quoted this evening can well be rationalized and justified, and in fact the intent of those statistics will be factual, there's no question in my mind, however, as I'm sure there couldn't be too much question in the minds of any other members in this Assembly, that women generally in this province and in this country are exploited. There is a growing trend towards part-time work and jobs. The point has been alluded to by a number of speakers, and again: primarily the part-time jobs are being directed or are in the exclusive domain of women. Now, I've heard arguments, and I'm sure you may hear them still here today, that well, yes, these women are simply going to work, not that they need to but primarily to supplement the income of the household and, by and large, to supply luxuries for the family.

Well, Mr. Speaker, I think we know that is not the case. And even if it were, there's nothing particularly wrong with people supplementing a family or household. If they want to buy luxuries, I think that's their privilege; how they spend their money is no concern of ours. But we cannot sit back and simply tolerate the fact that somehow because they are women they should earn less money and somehow be designated to a category of almost a second-class person.

This province, and the city particularly, has a significantly high rate of divorce: the highest in Canada. I don't want to argue the merits or the whys and how-comes of that situation. However, what that situation does do is force -- not by choice -- many women to enter the work force, go outside the home to work, not that they need to provide luxuries or supplement an income but primarily to provide a living for themselves and quite often for their children.

Now, the Speech from the Throne gave me and, I suspect, all members of the Assembly a ray of hope that indeed the government was about to move in a progressive manner to provide a better status for women in this province. We were delighted that this was the intention of the government, of course. As no doubt the arguments this evening suggest, we feel it's long overdue. Then lo and behold, we get Bill 21, and of course the real

intention of the government then comes to light: there's no intention to grant women equal status in this province. In fact, the status quo is primarily being retained. If one really studies the Bill closely, it becomes even more clear that in some cases the situation might well be even worse for women in this province than it was prior to this particular Bill being introduced.

We cannot continue to condone this attitude that somehow women are of lesser worth, are less of a person than men, and this Bill seems to do that. Mr. Speaker, it's discrimination at its worst. Where we attempt to segregate genders, where we can somehow find it acceptable that men can and should earn a greater salary than women, that men rather than women should be promoted into places of authority -- that is not an attitude I and members of this caucus will accept. Certainly Bill 21 on that basis alone needs to be opposed, but probably equally important is the need to pass this amendment.

I would therefore think, Mr. Speaker, that we -- and I say all of us -- would want to right this wrong. We know it's a wrong. I think we consciously must want to correct it. I would therefore urge all members in the Assembly to support this amendment. I think it will go a long way and in fact make this province the kind of leadership province many of the members, on the government side particularly, seem to allude to.

MR. ACTING DEPUTY SPEAKER: Hon. Member for Vegreville.

MR. FOX: Thank you, Mr. Speaker. I'm pleased to rise in support of the subamendment as moved by my hon. colleague the MLA for Edmonton-Avonmore today: that we "decline to give second reading to Bill 21, the Employment Standards Code," not only for the reasons stated by the Member for St. Albert, which we'll have a chance to elaborate on and to delve into in greater detail at some future session of this Assembly, but for the specific reason that "it contradicts the statement of government commitment," set out in the throne speech of 1986, and I quote, that this

government is committed to equality for women and will actively promote the full and equal participation of . . . women in the life of the province.

Now, Mr. Speaker, that's a commendable statement, and that's a commitment that would certainly have the support of members of our caucus if we could see there was some movement towards that goal, if we could see that through action this government was living up to its purported commitment to fairness and equity and the full and equal participation of women in the work force. But regrettably, Mr. Speaker, for a number of reasons Bill 21 misses the mark. It fails to do what it purports to do. For that reason we're suggesting that it not be read a second time, in the hope that the government's deep thinkers will take it back into caucus and go over the Bill again and again and again and come forward with a piece of legislation that is worthy of support of members of all sides of the House.

I think it's important to note that debate on a Bill is a rare opportunity to do something worth while. It's an opportunity for us as legislators to put in place provisions -- Bills, Acts, regulations, whatever -- that improve the quality of life and opportunity for people in Alberta. It's an opportunity for us to do that, and it's a rare opportunity, because as government members know, when you open up a Bill for amendment or reconsideration or try and redraft a piece of legislation, then it becomes a fairly long and protracted process because government members want to have their input and have their views heard

during the caucus consideration of the merits of the Bill. Sometimes it's difficult even for ministers like the Minister of Technology, Research and Telecommunications to get a particular, favoured piece of legislation of his through that caucus, because they're a stingy and keen-eyed bunch that scrutinizes every piece of legislation carefully. Then, Mr. Speaker, once legislation comes to the floor of this Assembly, it's got to undergo the scrutiny of all sides of the House and the public at large. So it's a long and protracted process to make changes in legislation in Alberta.

The debate on Bill 21, the Employment Standards Code, gives us that opportunity to make some changes, and that's why we as the Official Opposition are going to insist that some of these things be made right, that some of the changes be made that will indeed ensure that women have an opportunity to actively participate as full and equal partners in the economy of this province. And I don't say that lightly, because I think I need to point out, Mr. Speaker, that this government traditionally has only responded and made the necessary changes to things when they've been under incredible pressure and duress.

I can think back to a few years ago, when the United Nations sent the International Labour Organisation here to study some of our peculiar legislation that inflicted hardship on public servants and various other people in the work force, and declared some of our legislation to be unique in the world, that we were number one, as the government likes to trumpet, but number one from the wrong side up: that our legislation was particularly oppressive and outdated and unfair -- and still produced no changes from this government.

We had a minimum wage, Mr. Speaker, that has recently been addressed in a halfhearted and lily-livered kind of way by picking the median and other minimum wages across this country, by a government who refused to act for seven long years, who allowed our minimum wage in this great province, the number one province in the world, to become the lowest minimum wage in Canada, not changed since 1981: seven full years, Mr. Speaker. And when the change was made, it wasn't based on reason or thought or due process. They just picked a figure out of the air, an arbitrary figure. They didn't decide: "Well, let's see. If \$3.80 an hour was fair in 1981, given the effects of inflation over the years, what would be fair now?" No, they just picked a figure out of the air and set it at \$4.50 an hour. That's an indication, I think, Mr. Speaker, of what it takes to push this cumbersome and outdated and clumsy government to change.

Bill 21 offers the opportunity for change, and we were hoping the Minister of Labour would come forward with something that lived up to that noble commitment as enunciated by Her Honour the Honourable the Lieutenant Governor in the throne speech of 1986 to try and put in place some provisions that would not only encourage women's participation in the work force but would ensure that there is a sense of fairness and equity there for them to get involved.

There are a number of things, Mr. Speaker, this Bill could have done that it isn't doing, and I think we only need to look at the situation of labour in this province. Now, it's no secret that not everyone in the province is involved with an organization. They're not all union workers. Not all teachers belong to their union; not all workers belong to their particular labour organization. Roughly 70 percent of Albertans work without the rights and protections afforded by a collective agreement, and Bill 21 is this government's attempt to try and ensure some sense of fairness and equity for the roughly 950,000 working men and

women in the province who don't enjoy the benefits of a collective agreement.

But I think we need to appreciate, in taking a close look at Bill 21, what it ought to be doing. And what it isn't doing for women in the workplace is that people who work in non-union situations, who haven't the benefit of a negotiated settlement where they've joined together and tried to work out something in their own best interests, not only in terms of wages but also working conditions -- for those people, they have benefited significantly from the efforts of men and women who participate in the organized work force in our province. Because you can bet your bottom dollar, Mr. Speaker, that companies that are out there competing for labour, competing for skilled people to come and work for them and their company and help them generate profit and earn a living, have to pay a wage that is at least comparable in some cases to unionized workers in the same field. If they want to keep employees happy, then they have to make some provision to offer them benefits, be it a Christmas party once a year or whatever. They do things that they wouldn't normally do if left to their own devices, if the law of the marketplace were to rule supreme in the workplace.

So the point I am trying to make is that people who aren't organized and who seek protection from the government under the provisions of the Employment Standards Code, those 950,000 working men and women, have to a great degree benefited by the efforts of those men and women who are organized and who bargain on a regular basis for wages and working conditions.

Now, companies in Alberta have found a number of very creative, albeit meanspirited, ways to circumvent collective agreements and get into some sorts of situations that allow them to ravage the rights of working men and women. The 25-hour lockout is notable in that regard. People can be protected by the provisions of a collective agreement one day and have their life based on that, making payments on their house and their car, sending their kids to school, all of the expenses they incur day to day, participating in a meaningful way in the operation of our economy. Their agreement expires: the company lays them off, and 25 hours later decides to hire them back at half that rate. Now, that's unacceptable in my concept of what is fair and equitable in the labour force.

Now, that's not to say that some people in unionized labour make -- you know, again I'm looking at doctors, for example, who you could say have an organization that determines what they work for. Or lawyers. I mean, that's not to say they don't earn more than they should. But nobody deserves to have their wages and benefits cut dramatically in a very arbitrary sort of fashion, but this government hasn't done anything about that.

DR. REID: Mr. Speaker, on a point of order. I would once more quote the item of relevancy. We're addressing a fairly narrow subamendment, and we're off on a different piece of legislation entirely.

MR. FOX: Well, I appreciate that indication that the hon. Minister of Labour is listening, Mr. Speaker, because what I'm trying to do is lay a background for this government's pitiful record in terms of defending the rights of working men and women in this province. I, as a rural Albertan, find this government's record to be very offensive and one that I'm ashamed of, as someone who . . . That might be bushwa to someone . . .

MR. ACTING DEPUTY SPEAKER: Order please. Perhaps

the hon. member could come back to the subamendment.

MR. FOX: With pleasure, Mr. Speaker.

I've referred on many occasions in the course of this debate to my concern for what Bill 21 is not doing. I don't believe that it should be read a second time until it does show some progress towards the goals enunciated in Her Honour the Honourable the Lieutenant Governor's address to this Assembly on this month two years ago; that is, that we should try and create some sort of equity in the workplace for women and help them feel that they're full and equal partners, that they're going to be enjoying the same sort of benefits as men in the workplace. The Bill doesn't do that, and I'm just trying to frame my remarks in the appropriate context, because I know that some of these things are difficult for hon. members to grasp.

The issue of spin-off companies is another thing that we could get into at length, but respecting the sensitive temperament of the Minister of Labour, perhaps I'll leave that for a little while. [interjection] The rules of the Assembly, Minister of Labour, are that we confine our debate to the matter at hand. The matter at hand is the subamendment as moved by the hon. Member for Edmonton-Avonmore, and that is that this speech not be read a second time because it fails in every regard to live up to the commitment that this government made. And it's not just a commitment that the government made. It's a commitment that the minister himself made, in what was purported to be the result of a half million dollar tour around the world by his jet-setters, that the laws of this province will in the future be responsive to the needs . . .

MR. ACTING DEPUTY SPEAKER: Order please. Hon. member, this is the third time I've asked you to please speak to the subamendment. If you do not do that, I will recognize someone else.

MR. FOX: Well, with respect, Mr. Speaker, you know, speaking to the . . . If . . .

MR. ACTING DEPUTY SPEAKER: Hon. member, order. I have given you my decision. Now, if you wish to continue debate, please do so; otherwise, I'll recognize someone else.

MR. FOX: Sure. Well, I think it's important for me to continue in my efforts to speak specifically to this subamendment regarding the opportunity or lack thereof for women in the workplace as envisioned by this government and the legislation that they're introducing, which is what I'm talking about here, Mr. Speaker, by talking about the conditions that women in this province must contend with, that the position of women in the work force is indeed different from the position of men in the work force. I think we have to acknowledge that women are subject to a lot of problems that don't seem to be a problem for men in the workplace.

If we might look for a moment, Mr. Speaker, at part-time work. Part-time work is becoming . . .

AN HON. MEMBER: Don't read your speech.

MR. FOX: I'd sure as heck be a lot better off reading my speech than I would reading one of yours, because mine makes sense.

But I'm just trying to pull out some statistics here. In terms of part-time work, I think we need to realize -- and I'll provide

the stats so the hon. members know that I'm dealing in fact and not fiction, which is what they're probably accustomed to, having been in their caucus meeting. But in terms of part-time work, what is the impact of part-time work on women in the work force? Canadian women comprise 77 percent of all part-time workers -- 77 percent -- so I submit that any Bill that purports to establish or be called an Employment Standards Code ought to take into consideration the impact of part-time work on women. That statistic becomes even more galling when you realize that 88 percent of the part-time workers, Mr. Speaker, who are in their prime earning years -- that is, between the ages of 25 and 54 -- are women. Now, I assume we're excluding the bag boys who pack groceries in grocery stores after school and stuff, and we come up with the people who are involved in part-time work during their prime earning years: 88 percent of them are women.

AN HON. MEMBER: Seventy-seven.

MR. FOX: Seventy-seven percent of all part-time workers, but 88 percent of the workers in their prime earning years.

Now, I think, Mr. Speaker, we've got to consider what happens to women who work part-time in the workplace. Why do employers want to encourage more and more people to be part-time employees? The reason for that is so that they can get away from or dodge their responsibility to pay those people some benefits, so that they can get away with offering them some sort of cut-rate wage for their toil and, at the same time, not participate in vacation pay, sick pay, any sort of medical benefits that may accrue to some people in the workplace. They want to get away from doing all that. So if that means hiring several people for part-time jobs rather than a few people for full-time jobs, then they're going to do it, Mr. Speaker, and it's up to us to make sure that they don't get away with that.

If you want to have part-time workers hired to suit the particular schedule of your company or the particular nature of the job that maybe requires a heavier staff load between 9 and 11 in the morning and 4 and 6 in the evening, well, you should be able to do that, but you shouldn't be able to do that by dodging your responsibility to provide those employees with the same sort of benefits that employees who work full-time in your company get. I submit the only reason that employers think they can get away with that is because of the environment where we have relatively high unemployment in this province, and have had for a number of years, and a government who, represented by a former minister of employment, said that 9 percent unemployment is good for the economy because it keeps wages down.

Well, that's the objective of this government, Mr. Speaker, but it's not the objective of the opposition. And that's why we're fighting to make sure that Bill 21, as good as it is in some areas, not be read a second time until it actually deals with some of the substantive matters that impinge on women in the workplace. We want a Bill -- and we're going to fight for it in committee stage -- that actually makes some commitment to provide fairness and equity to women who are involved part-time in the workplace so that whether or not they work part-time is a matter of choice. They may decide -- anybody may decide -- that working less than 40 hours a week suits them because of their family circumstance or because of what they're doing with their education or further training to advance. But they ought not to be punished by employers seeking to gain advantage in the workplace for that decision to work part-time. So that's something that we'd like to have dealt with.

We'd like to see some commitment in the Bill to cope with overtime agreements too, Mr. Speaker. That's not to say that people shouldn't be allowed to work overtime, but they shouldn't be forced to accept time off in lieu of extra payment for that overtime. And I don't speak as someone without experience; I've worked in jobs where it was a 44-hour workweek. We'd work nine or 10 hours a day doing very hard physical work, and come Friday, when we'd get up to that magic 44 hours, if it was 11 o'clock in the morning, we'd all get sent home so that the guy could avoid paying us overtime. We were unorganized, non-unionized labour who were being exploited by someone who wanted to make all sorts of money off the sweat off my brow and the bend of my back. Now, I enjoyed the job, and I worked hard, and I put in lots of overtime whenever it was offered, and I made money, and I got ahead. But I think to suggest that I should be denied overtime pay for work that I've put in in overtime, that I should be required to take time off, is unfair and that that gives unfair advantage to some people in the marketplace and, in this case, the employers. Well, that doesn't surprise me, Mr. Speaker, because this government is bankrolled by big companies who seem to make a profit off preying on the . . .

MR. HERON: A point of order, Mr. Speaker. It's only through my generous nature that I feel compelled to offer some suggestive criticism, to bring to our attention Standing Order section 23.

MR. ACTING DEPUTY SPEAKER: What citation, hon. member?

MR. HERON: Twenty-three.

Now, I know through this generous nature of mine, Mr. Speaker -- I try to avoid Canadians judging the NDP too harshly, for they're creating quite a track record of irrelevance in *Hansard* this evening. And of course, we've seen that Manitoba's judged them, British Columbia's judged them, and in fact, Canadians have judged them, because there's not a single NDP government in Canada. There's not a single NDP government in Canada. So if they want to continue playing a minority role, a minor role in opposition, Mr. Speaker, I would suggest that they . . .

MR. McEACHERN: On a point of order.

MR. ACTING DEPUTY SPEAKER: One member of the Assembly has the floor at a time. Right now it's the member . . . He's just sat down. Now, do you have . . .

MR. HERON: Thank you very much, Mr. Speaker. So I would draw attention to Standing Order 23 and hope that the people of Alberta can read *Hansard* and not be subject to this lacklustre performance. Believe me, it's expensive; it's a time waste. The taxpayers are paying for our time here, and I hope that you feel satisfied with your performance here this evening.

Mr. Speaker, I appeal to your sense of fair play to draw the hon. member's attention to Standing Order 23.

MR. SIGURDSON: Mr. Speaker, on the point of order.

MR. ACTING DEPUTY SPEAKER: The Member for St. Albert.

MR. STRONG: I knew I had some friends, Mr. Speaker.

Mr. Speaker, I think the Member for Stony Plain has suggested that we as the New Democratic Official Opposition are -- he's alleged that we're being irrelevant, that we're lacklustre, and all these other fine sayings of his. What I'd say to the member is simply this: that if he has some valid concerns, what he should do rather than jumping up on a point of order is get up and state those concerns, address the legislation that we have before us, not accuse us in the Official Opposition -- the New Democrat Official Opposition -- of being irresponsible. This legislation is offensive, to say the least, and if the hon. member across the way was doing the job for his constituents that we as the New Democrat Official Opposition are doing, he'd be much further ahead, might even get re-elected in the next provincial election in the province of Alberta.

So let's get to relevance. It's all relevant, and it's relevant mainly because of this: the minimum standards in the main in the employment standards legislation apply to women in the work force in every circumstance that the hon. Member for Vegreville has introduced in the Legislature.

MR. ACTING DEPUTY SPEAKER: Order please. I think the hon. member is getting away from the point of order.

MR. SIGURDSON: Mr. Speaker, on the point of order, I think it's regrettable that the hon. Member for Stony Plain hasn't paid more attention to what's gone on in this Assembly in the past and that he didn't pay attention to his grade 6 teacher when they taught about Canadian geography. Because there is a New Democrat government in Canada; it's in the Yukon. This is one of the points that I made in the Legislature last fall about Meech Lake, that this government would sign a document in Ottawa that denied the rights of northerners who lived above the 60th parallel. And that's indicated and shown by the Member for Stony Plain when he says that they don't matter. That's what he said tonight when he said that there's not a New Democrat government in Canada, because there is. It's in the Yukon, and he denies it.

MR. ACTING DEPUTY SPEAKER: The Member for Edmonton-Strathcona.

MR. WRIGHT: Yes. On the point of order, Mr. Speaker. I listened carefully to the Member for Stony Plain, who cited Standing Order 23. Reading Standing Order 23, it says that

A member will be called to order by Mr. Speaker if that member

(k) speaks disrespectfully of Her Majesty or of any of the Royal Family.

I listened very carefully to the hon. Member for Vegreville, and I heard him speak of no member of the royal family or of Her Majesty in terms either respectful or disrespectful. Perhaps the hon. Member for Stony Plain was listening to another speech somewhere.

MR. ACTING DEPUTY SPEAKER: Perhaps now that we have all had our go at this point of order, we could return to the debate.

Hon. Member for Vegreville.

MR. FOX: Thank you, Mr. Speaker. With respect, Mr. Speaker, I did refer to Her Majesty's representative in the province of Alberta on a number of occasions with the greatest

respect, Her Honour the Honourable the Lieutenant Governor, when I referred to her speech in this Assembly two years ago this month when she laid out that this:

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.

The reason that I'm getting up and saying that this Bill, Bill 21, should not be read a second time is because this government has failed utterly to live up to the Lieutenant Governor's commitment to the people of Alberta. And I don't think a commitment made by a government in a throne speech is something to be taken lightly. Now, throne speeches are traditionally fairly lightweight . . .

AN HON. MEMBER: Will the hon. member please come to order.

MR. FOX: No, I don't think a commitment made in the throne speech should be taken lightly, Mr. Speaker, even though this government's commitment to fulfilling promises seems to be fairly light. I think that's a time when a government charts a direction, lays out to the people in the province what they plan to do. To say that you're committed to equality for women and then miss the opportunity as offered you through the Employment Standards Code is unconscionable, and that's why I'm standing up. That's relevant not only to the debate in this Assembly but to the tens of thousands, hundreds of thousands, of working women in this province, the ones in my constituency who didn't send me to sit here like a bump on a log and pound the desk every time a government minister said something. They sent me here to scrutinize the Bills of the government, to ask the hard questions, to participate in debate in a meaningful and thoughtful way, and that's what I'm going to do. And if members opposite find that a little tedious from time to time, then so be it, because it's going to get one heck of a lot more tedious.

This Bill not only fails to address the needs of women in terms of their almost legislated part-time participation in the work force, but it fails to address the issue of equity, pay equity. That's not a new concept. It seems to be one that's foreign to this government, but there have been governments elsewhere in the country -- Manitoba and Ontario, as an example -- and the federal government, the Conservative government that to some degree is thinking about working on . . .

MS LAING: Nova Scotia.

MR. FOX: Nova Scotia is apparently doing something in that regard my colleague, the mover of the subamendment, tells me. So these aren't new ideas, but I want to tell you they're very popular ideas. We've done some polling with Albertans, Mr. Speaker, to find out what their views on certain issues are, and pay equity is right up there, right up there because Albertans, above all, are very fair people. They want to see that conditions are such that people have an opportunity to succeed, an equal and fair opportunity to succeed, and they're going to support something like pay equity. That means equal pay for work of equal value.

There's a litany of statistics that anyone could read off, and some have, that demonstrates very clearly that women are discriminated against in the workplace in terms of remuneration, that they're not adequately paid, that the effort of years of experience and learning, the level of expertise that women acquire, is

not recognized by the workplace. Now, I've heard government members stand up and say: "Oh, pooh-pooh. So and so is an MLA from somewhere, and she's a woman, and she gets paid the same as the rest of us." Well, that's a very different situation and certainly a flimsy argument against pay equity. The fact of the matter is there are a lot of women out there with university educations and many years' experience in the workplace that earn less than men with half the education. There are women doing the same job as men, for Pete's sake, who get paid less than those men for no good reason. Certainly no member opposite would be foolish enough to say: "Oh, yeah. Well, they're just working for the fun of it, and it's all pin money that goes to buy raffle prizes for their coffee parties." That kind of attitude is surely too outdated and prehistoric to be advanced by any member of the Conservative government in Alberta in 1988, although I've heard it on more than one occasion.

Because the fact is that women work because they want to work, they want satisfying employment, they want to be able to provide for themselves and their families, and they don't do it for fun. They do it because they want to give something to this province, and they want to get something in return. They deserve to be fairly treated. They deserve to have something in Bill 21 that recognizes the need for equal pay for work of equal value. [interjection] The star of the north is fading, Mr. Speaker. I worry.

You know, it would be appropriate, if government members do indeed support the hon. Minister of Labour in this Bill, for them to get up and say so; you know, prove to the people of Alberta that they've not only read what's in the Bill but that they understand it and, further, that they . . .

MR. HERON: A point of order, Mr. Speaker. I draw attention to Standing Order 23 again, this time section (b)(ii): "a motion or amendment the member intends to move." He "speaks to matters other than," and clearly, Mr. Speaker, I believe the tolerance of the whole Assembly is tested by, again, the irrelevance and the wandering that the hon. member feels compelled to move in.

Of course, as I mentioned before, Canadians have judged the performance of the New Democratic Party, and I guess last but not least, we have to resort even to the local press, who judged their performance recently as lacklustre and poor. We're only trying to help you, gentlemen, to get through your day in an efficient manner. So, Mr. Speaker, I would ask that we draw their attention to section 23(b)(ii).

MR. ACTING DEPUTY SPEAKER: I wonder if both sides of the House could restrict their comments to the subamendment. I would suggest that hon. members who are suggesting other hon. members get up and debate are really straying from the point of debate, which is the subamendment.

MR. McEACHERN: Mr. Speaker, on that point of order.

MR. ACTING DEPUTY SPEAKER: That point of order's been settled.

MR. FOX: Thank you, Mr. Speaker. With respect, I just do that in the context of framing my arguments here, my reasons for feeling strongly that Bill 21 has failed to live up to some of the commitments as outlined by this government in its throne speech. If I'm wrong, I'd like to know where I'm wrong. Certainly the Member for Stony Plain standing up and trying to tell

me where I'm out of order and irrelevant gives me a chance to sit down and have a drink of water and refresh myself and get ready to come back at him, but in terms of being relevant, it certainly adds nothing to the debate.

And I might point out, just for information of members of the Assembly, that the most recent judgment by the electorate in Canada of the three major parties was two by-elections in the province of Saskatchewan, where the NDP not only won, not only cleaned the clocks of the other two parties, but the Conservatives didn't even . . .

MR. ACTING DEPUTY SPEAKER: Order please. Will the hon. members please stay with the subamendment.

MR. FOX: Sure, Mr. Speaker. I'll just sum up by stating again that I think if we were to grant this Bill second reading, this Bill that moves in some regard towards protecting the rights of part-time workers and people who aren't protected by collective agreements, we miss the opportunity, the last opportunity we're going to have in a long time, to address these important concerns that I've outlined again and again for hon. members: the opportunity to make things right, to create an environment in this province that not only encourages the participation of women in the workplace but that acknowledges that participation by setting out a structure of fairness and equity by doing some of the things that I've outlined.

It's not just a matter of economics. I think if we can put in place the kind of changes that the Official Opposition will propose in committee stage, we'll come up with a piece of legislation that will serve all Albertans, that will give women the kind of clout in the work force that will enable them to influence the direction of legislation in the future. We'll see more women involved in the lawmaking process, we'll see more women in a decision-making capacity in the workplace, and we'll all benefit as a result.

A number of issues that I would hope this government would be prepared to deal with that would complement meaningful amendments to Bill 21, the Employment Standards Code, would deal with, you know, the special circumstances that women who want to get back into the workplace face, Mr. Speaker, in terms of seeking further education and the kind of problems that creates -- the lack of access to student loans and things like that which have been outlined in this Assembly on a number of occasions; the kind of attitude that women have to overcome in many different situations to gain what is rightfully theirs; that is, a satisfying opportunity for full-time employment, participation in the workplace to care for themselves and their families and work to build a better province of Alberta. I think Bill 21 could be doing some of those things, Mr. Speaker. As a member of the Official Opposition I'm going to do everything I can to see that it does, by supporting the amendment that it not be read a second time for its obvious shortcomings and, further, by putting the time and effort into proposing a number of amendments in committee stage if we get to that stage of debate.

Thank you.

MR. ACTING DEPUTY SPEAKER: Member for St Albert

MR. STRONG: Thank you, Mr. Speaker. It's a pleasure for me to get up this evening and speak in favour of the subamendment introduced by the Member for Edmonton-Avonmore, that subamendment being:

and because it contradicts a statement of government commit-

ment 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."

Mr. Speaker, just for the Member for Stony Plain, this is a very, very wide-ranging subamendment because it calls into question almost everything that is in Bill 21 that's before us to the fact that all women are affected by everything that's in that legislation.

I think that to start my comments, I'm going to go right back to the final report of the Labour Legislation Review Committee that was passed out in February of 1987. On page 85 of that report the minister's committee laid out some general policies supported by participants. It says:

Input from Albertans indicates that there are four general policy concepts which are widely supported.

The first one is this:

- (i) Albertans support continued maintenance of comprehensive employment standards which ensure fairness and protection for all employed Albertans.

Mr. Speaker, "all employed Albertans."

Standards are expected to be contemporary, easily understood, and structured so that employers and employees are both aware of the rights and obligations which accompany the employment relationship.

This is direct from the final report of the Labour Legislation Review Committee.

Women. When we look at domestics -- and there's quite a number of them in this province -- where is the protection for them? They're part and parcel of the work force here in the province of Alberta. It says right here: all Albertans. Yet where in the legislation, in Bill 21, that we have before us, is there anything that says anything about domestics, other than in the back of the legislation where they refer to a domestics Act. Where's any coverage for those women? This government speaks about all women, all working Albertans, yet when you look at the legislation and the principles of the legislation, Where's the protection for all Albertans?

What I'd also say, Mr. Speaker, is this. We've had the Minister of Labour jump up on two points of order. We've had the Member for Stony Plain jump up on a couple of points of order. If this government and the members of this government were opposed to the subamendment that we have before us, why aren't they up speaking in opposition to the subamendment proposed by the Member for Edmonton-Avonmore? If this legislation is so good, why aren't they justifying the position of the government in the Legislative Assembly? Why aren't they doing that?

Mr. Speaker, I'll go on further and again read from the same report, the Labour Legislation Review Committee final report. Let's get into specific major concerns, and these were the specific concerns of Albertans: a major, major area. It's (iii) on page 85: a major concern that numerous Albertans addressed in submissions at those public hearings. That one is this, and I'll read it:

For several reasons the number of part-time workers in Alberta is rising significantly. Employees and trade unions repeatedly raised the issue of availability of benefits and application of standards to this group of workers. It was argued that legislation does not fully address the particular needs of these workers and that changes are needed to ensure standards for, and benefits available to, full time workers are fairly pro-rated for those working on a regular part-time basis.

[Mr. Speaker in the Chair]

Mr. Speaker, certainly the majority of women working for minimum wage who are covered under this particular form of legislation are affected by this. It was a significant concern; as a matter of fact, listed out as a specific, major concern. Yet what do we see in the legislation for regular part-time workers, in the main, women? Is there anything for them? Are there any prorated pension benefits? Are there any prorated health benefits? Are there any prorated benefits of any type? The legislation that we have before us is totally silent on that point, totally silent. Why is this? Has the government met their commitment that was set out in the throne speech to all Albertans? They haven't met their commitment. It's quite clear, because there's no commitment to those benefits. Mr. Speaker, a major, major concern of those that appeared in front of the public hearings: employees, many of whom were women. The minister and his committee obviously didn't even listen to anything that they were saying, because there's nothing, nothing, in the legislation that covers anything in that regard.

Mr. Speaker, we can go on.

AN HON. MEMBER: Please don't.

MR. STRONG: Oh, I will. You don't like it, but I guess that's too bad.

Again reading from the same final report of the Labour Legislation Review Committee, and this is in regards to employment standards legislation. It's on page 94, recommendation 17:

That the minimum wage rate be reviewed on a regular basis and adjusted when necessary.

Certainly that minimum wage applies in the main, for those who are earning it are women. Certainly they're women.

Where in the Bill that we have before us, Bill 21, is there any mechanism to review that minimum wage on an annual basis? Why, this government even turned around and denied working Albertans, again many of them women, any increase in that minimum wage until September 1 this year. Is that the fairness and equity that this government, that this Minister of Labour promised Albertans when he set out on his fact-finding tour?

What were Albertans at those public hearings for? To express the concerns that they had, not only in regard to an Employment Standards Code but also to a Labour Relations Code. Yet when we examine the Employment Standards Code, where is there any protection? No. What we did was defer the increase in that minimum wage to September 1 this year. Why? Is it because this minister and this government wanted to deny many of those women that are out there working part-time, full-time in industry and the service sector, who will be going back to university this fall or going back to school this fall, a meagre, meagre increase, in some cases 70 cents maximum: \$3.80 to \$4.50? Couldn't this government have been fair to all those women that were working out there and increased the minimum wage effective June 1, July 1, and given them a bit of a break? That didn't happen. Of course not. [interjections]

Yeah, they would have broken the bank. Uh huh. Same old silly, you know, answer from some of the backbenchers here to my left: "Gee, you increase the minimum wage, and you're going to create more unemployment." That's absolute nonsense, Mr. Speaker, and I think even many of those in the business community support an increase in the minimum wage.

So has this government been fair? Are they fair? Let's go a little bit further down, same page, recommendation 21:

That overtime agreements not be a condition of employment.

Again this minimal legislation in the main applies to many, many women in the work force: trapped, the lowest, lowest stratum in our economy. This government knows that. Certainly it's fine to say in the legislation that signing of overtime agreements won't be mandatory. Well, that's fine to say that. How much enforcement is there? When those women go in to make application for a job, those overtime agreements are thrown out in front of them. If they don't sign them, do they get a job? They're not hired. It's just that simple. So we can have all the glossy words, the fancy words, the fair words, the illusion of fairness and equity, but it's absolutely meaningless unless it's enforced. And, Mr. Speaker, I'll say this: anybody going in and applying for a job at minimum wage, if a condition of employment is signing an overtime agreement, certainly is not going to complain about it, because they need the job.

Now what do we have in the legislation? Even where they could complain and get it changed, now what they have to do under the new and improved legislation is go in and give one month's notice to break an overtime agreement. Is that the fairness and equity that was promised Albertans, working Albertans, working women in the province of Alberta? I think not.

Again let's go down further, to recommendation 22 on page 94:

That the Code set out rules for regular part-time work, and in particular, the provision of applicable pro-rated benefits.

It's right in the book. The minister put this out. He knows what's in it. Yet where are those pro-rated benefits? Totally absent. So does the legislation stand up to the commitment that was given by the Minister of Labour in this government to all Albertans? Certainly no, it doesn't.

Let's go further on in the legislation. Okay? Mr. Speaker, the hon. Member for Edmonton-Gold Bar alluded to it, and that's division 10. I won't get into the specific specifics of the legislation, but turn around and say, you know, that division 10 deals with parental benefits. We say that a pregnant employee, if she's worked for an employer for 12 months, is entitled to maternity leave. I'd ask the minister through the Chair: what about those who haven't worked for the employer for 12 months? What happens to them? Is there any fairness for them, or do you have to work for one year before you're entitled to maternity leave? If you don't work for a year are you not entitled? Where's common sense? Does common sense apply in the principles of the Bill as it relates to women who are covered under this barest minimal standard of legislation? Where is the fairness?

And we go on, Mr. Speaker. It says that we can get 18 weeks maternity leave. The only thing it really clarifies is that it turns around and says that 12 of the weeks have to be prior to the delivery of the baby, so really what we have from the date of delivery of the baby is six weeks. Yet in the same piece of legislation, as it applies to women, if you adopt a child you're entitled to eight weeks. Now, I'd like the minister to explain to me what's the difference? What is the difference between adopting a child and bearing a child? Shouldn't the legislation speak to some equality between the two? I certainly think it should. That's another example of how inequity applies in Bill 21.

We go on further, Mr. Speaker. Why do you have to define and get from a doctor a medical certificate saying that you're pregnant? Isn't it obvious? In most cases it is. You know, even my wife, who was very small -- I could tell she was pregnant. But turning around, Mr. Speaker, and going through the legisla-

tion, let's get into the principles again. Why should a pregnant employee have to prove by medical certificate that she's pregnant? Why would the Minister of Labour force that woman to go to a medical practitioner to get a certificate verifying that she's pregnant at a cost of probably \$25 minimum in order to get the certificate? Is that an assist to the medical profession so that they have to bring letters in?

Mr. Speaker, that's just another example of how this legislation is unfair with women, and I would suspect that probably in Committee of the Whole we'll get into amending this and righting the minister on the right path and defining just exactly what fairness and equity is, because it's obvious by the legislation that it's not here. Where is it?

We can go into other sections of the proposed legislation that we have before us and say: how is it fair to women, as well as men, but in the main women? Because they're the majority who work under the lowest possible standard. The minister knows that too. Let's get into turning around and we get into hours of work. The minister spoke in his opening statement in regard to the legislation about getting a half an hour break after five hours' employment. Isn't that nice? The only thing that he didn't say is that any employer that applies to the employment standards branch or, I guess, his office -- he's going to be the new god -- can get waivers. Is that fair, Mr. Speaker? What we have before us is legislation riddled with regulations. Yet where are the regulations to make a determination of the intent of the legislation? They're absent.

AN HON. MEMBER: Trust me.

MR. STRONG: Yeah, trust me.

Hours of rest; here it is. This is what the minister alluded to when he said half an hour break after five hours. Again, the only thing he didn't say is that we've got sections (a), (b), (c), (d), and (e) that go on to say: "Well, you can apply. The director can issue you a permit exempting you." So where is the fairness? Where's the fairness in the legislation that we have before us? I can't see much of it.

We can get into compressed work weeks. That's abused by the employers out there too. The minister had enough examples of that.

MR. SPEAKER: With respect to women, hon. member.

MR. STRONG: Mr. Speaker, the amendment and the whole Bill apply in the main to women trapped in the lowest possible form of economic slavery.

MR. SPEAKER: The hon. member has not referred to women in the last five minutes of this debate on the subamendment. That's why the Chair made the comment.

MR. STRONG: Okay, Mr. Speaker. What we'll talk about is we'll talk about women, and I think the odd reference to a male who again is trapped under this lowest form of legislation should certainly be made as well, although the majority that are trapped under the legislation are women. I think that's a given. You can go and look at any segment of what we have in front of us, and it applies to women. All of it applies to women, the majority.

MR. DOWNEY: So what could be fairer than that?

MR. STRONG: Well, I'm sure that the Member for Stettler, if he's been talking to any women in the work force, you know, would certainly have an indication of what they want when they're out working, and that's some fairness, Mr. Speaker. I think that certainly has to be at the forefront. As a matter of fact, it's the very foundation, the underpinning -- or at least that's what I thought -- that was expressed by the Minister of Labour. The foundation was fairness, equity.

The minister went into communications, Mr. Speaker, yet if you look at communications in that sector that deals with communications in the legislation -- again as it applies to women because women are the majority trapped -- the minister has a total right under the legislation to set up councils, to do anything that he wants under the Act: collect information, disseminate information; make available to employees at their place of work copies, incidentally, of notes, pamphlets that are put out by the Department of Labour.

Now, Mr. Speaker, I would think that, you know, if you went over to GWG, you would find that the majority working there are women. Now, it's fine for the minister to send out his political rhetoric or what he thinks is fair and what isn't fair. Where's the guarantee in this legislation that what that employer is going to post is division 10, after it's amended, to indicate to those employees working in that sweatshop what they're entitled to under this minimum form of legislation? Is the minister going to send that out so it can be posted? What is he going to send out?

If the minister is going to set up a work council over there -- you look through the sections as they apply to the council. Where's the input from labour, Mr. Speaker? Where's the input from those women? Are there going to be any women sitting on that council? There might be, but the minister might not put one on, because the minister has the right under the communication and education part to appoint the councils to prescribe the number, prescribe the term of office, designate and provide for the chairman, authorize and fix expenses, make rules governing the calling of meetings. It doesn't say one thing about where those women are going to be. Are they going to have any representation on that committee? Or if those women working there don't perhaps like the Minister of Labour or what this government is doing, is the minister going to appoint any of those women? Chances are, no, Mr. Speaker. Again, under the legislation he's got the total authority to appoint or dis-appoint. Where's the fairness?

DR. WEST: Equal opportunity.

MR. STRONG: Is it equal opportunity? It's not equal opportunity, not at all.

Plant closures that affect a whole bunch of women: we can go to the plant closures section of this Bill. It says: well, we'll give the minister four weeks' notice. Isn't that nice for all those women working in that plant? But then there's a bunch of exclusions to that provision too. [interjections] Relax; we'll get to it.

Mr. Speaker, I think that if you examine the legislation, what you'll find is that certainly they have to give four weeks' notice, but then I think there are about five exclusions after that: if it isn't reasonable, isn't practicable; something like that. Is that fair? Is that fair to the employees working in the plant, Mr. Speaker? I think not.

But again, you can go through this legislation, whether it applies to women, whether it applies to men, but it does apply to

all those economically disadvantaged people at the very bottom who are looking for protection from this government in this lowest possible form of legislation. Mr. Speaker, it isn't fair, it isn't equitable, and it doesn't take us into the 21st century. Not at all. I would ask all hon. members in this Assembly to support the subamendment put before us by the Member for Edmonton-Avonmore as it's an excellent subamendment because it speaks exactly to the legislation, or lack of it, that we have before us.

SOME HON. MEMBERS: Question.

MR. SPEAKER: There's a call for the question? No.  
Government House Leader.

MR. YOUNG: Mr. Speaker, I move to adjourn the debate.

MR. SPEAKER: Those in favour of the motion as made by the government House Leader, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: The motion carries.

[At 10:46 p.m. the House adjourned to Tuesday at 2:30 p.m.]