

## LEGISLATIVE ASSEMBLY OF ALBERTA

Title: Thursday, July 13, 1989 8:00 p.m.

Date: 89/07/13

[The Committee of Supply met at 8 p.m.]

head: COMMITTEE OF SUPPLY

[Mr. Jonson in the Chair]

MR. DEPUTY CHAIRMAN: Will the committee please come to order?

head: Main Estimates 1989-90

## Labour

MR. DEPUTY CHAIRMAN: This evening we're considering the estimates of the Department of Labour. The material on this commences with vote 1 on page 233 of the estimates book and page 97 of the elements book.

Does the hon. minister have any opening remarks?

MS McCOY: Thank you very much. Mr. Chairman, in 1964 Bob Dylan wrote a song called *The Times They are a-Changin'*. My colleague to the left here -- and surely that isn't the position he normally occupies -- would love to hum it for you, but we do want to keep these opening comments and comments following as brief as we may in view of the lovely summer evening out there. But looking back over the 25 years that have passed since then, you have to agree he was right.

Some people, of course, didn't see it that way, and I must admit it was to their regret. For example, in 1962 a recording company executive in Britain turned down the Beatles. The famous comment was: we don't think they will do anything in this market; guitar groups are on their way out. Five years later *Business Week* predicted Japanese cars would never take a major share of the market because there were over 15 types of foreign cars already in the U.S. of A. Even IBM's chairman said in 1973: I think there is a worldwide market, completely saturated market, for five computers. He retired soon after that.

Well, members of the Assembly, you've all seen, no doubt, that nowhere will change be more dramatic than in the composition and nature of our work force. We here are all in the business of managing that change. Of course, I am also in some of my portfolio responsibilities in the business of advocating that others manage that change and manage it well. So what are some of the changes?

One of them is the baby boom and bust cycle. Now, in Alberta we're all used to boom and bust cycles. We've seen them in oil; we've seen it in gas; we've seen it in grain; we've seen it in real estate. It goes on and on. But are we really and truly prepared for the baby boom and bust cycle? In the past we counted on young people coming into the labour force, and we cannot do that anymore. In 1971 the number of 15- to 24-year-olds in the labour force was about a quarter, 26 percent. By the year 2000 that same age group, 15 to 24, will only comprise 17 percent of the labour force. So if not the young who are to replenish our labour force, then who? The Hudson Institute says that white males, thought of only a generation ago as the mainstays of our economy, will comprise only 15 percent -- that's one-five percent -- of the net additions to the labour force

between 1985 and 2000. The rest will be women, immigrants, and native minorities.

How many of our employers are prepared for that, for employees, as an example, who have English as a second language? Are their manuals and their procedures written up in language that is geared for ESL readers and users? And what about absenteeism? If our employers are looking to hire women -- and they will be -- what are they going to do to prevent loss of productivity because a child is sick? Maybe, just maybe, they'll start looking at on-site day cares. A recent study in the U.S. showed that a \$50,000 investment in day care can save up to \$4 million in employee turnover training and lost work time. Other companies in the States are offering in-home nursing services for six children as a device for keeping employees. That sort of creative response, I'm sure, will also come to Alberta, and indeed, much of it in the on-site day care has already begun. One thing we, the government of Alberta, as an employer can be proud of is negotiating with our union, AUPE, parental leave for our employees. I think that is a step forward, and I think it's a great signal for the private sector.

The baby boom and bust cycle has another implication. In the States in 1987 only one out of 20 people was promoted to top management. By 2000 that number will have reduced to only one in 50. So the question is: how are our employers going to keep people in the so-called gray-collar ghetto happy and productive? Perhaps we'll all be looking at more generous educational leaves, more vacations, more work sharing, and flexible working conditions. As an example, at Statistics Canada workers are allowed to take vacation days now for every day they save in doing their jobs more effectively. For that productivity increase, they reap the benefit. That is an incentive and a win-win situation, I think, for both management and labour.

Well, now, I've talked long enough. That's brief. I do look forward to the challenges. I'm excited about the future, and I'm very much excited about working with my colleagues in this caucus as we go about creating responses that are contemporary and innovative. I look forward now to hearing from other Members of this Legislative Assembly on this lovely summer evening before the sun sets.

Thank you, Mr. Chairman.

MR. DEPUTY CHAIRMAN: Edmonton-Belmont.

MR. SIGURDSON: Well, thank you very much, Mr. Chairman. I'm glad that the minister started off by reminding us of a song that happened 25 years ago, she says. She talks about a Dylan tune, *The Times They are a-Changin'*, and it reminds me of another Dylan tune that should be played every question period, and I guess that's the answers are "blowin' in the wind."

However, I do want to congratulate the minister. I think that she brings a new perspective to the ministry and hopefully a new perspective to the government as well. I think that's an important change, you know. I really believe that perhaps if there are some new ideas that are being generated in the position of the Minister of Labour, then perhaps some of that just may permeate down to the other members of the cabinet and caucus. Maybe that's wishful thinking. I hope not, because I think it is about time that the government, particularly the Minister of Labour that was involved in that particular department, started listening to the needs and desires of average Albertans, ordinary Albertans. I'm very pleased to see that in the opening remarks the minister alludes to the concept of on-site day care. That's a

quantum leap forward and something that I'm very pleased to hear, and quite frankly I was shocked to hear. But I am pleased, and I do congratulate the minister for that.

If we look at the record of Labour ministers inside this current government, I don't think we were as pleased with what we received from previous ministers of Labour. You know, if we look around, and we don't have to look too very far, we can see that previous holders of that portfolio are not well represented here this evening. There's the former Minister of Labour from Edmonton-Jasper Place, no longer here; the former Minister of Labour who represented the constituency of West Yellowhead, no longer here. That's partially due, I believe, to the fact that the labour legislation that was introduced was something that was directed by a government that wasn't listening, and while they can't be solely responsible for the introduction of that draconian style of legislation such as Bills 44 and 110 and then 21 and 22, I think that the people in their constituencies realized that it was, indeed, time for a change and "times they are a-changin'."

I do hope, I do hope that this new minister will not only hear the voices of working Albertans, either in protest outside on the steps of the Assembly or in conferences where she invites working representatives, not only hear their voices but listen as well and take those concerns back to the government. I would also, at the risk of fear and at the risk of making such a suggestion, hope that this minister might consider, again, trying to balance out that so-called playing field, because it's not balanced and it's not even, and we don't need the kind of tour that we had with the previous minister. We don't need to listen to what's gone on in Europe or in Australia or in Japan. But I think it's about time we listened and heard, carefully listened and heard, what working Albertans are saying and try and better reflect that in a new and improved and revised code. Because this current one that we've got -- quite frankly, from the representations that I'm sure the minister has had, I know that the minister has had, the government has had, and certainly representations that I have had from working Albertans tell us that the labour code and the Employment Standards Code are just not adequate to meet the needs and aspirations of workers in this province.

Now, Mr. Chairman, this department is one of the smallest in government. It's third, I believe, to Tourism and Consumer and Corporate Affairs. But yet, you know, everything that this government does or the things that happen inside this department affect all of us, whether it's in the labour code that I spoke of or employment standards or the Individual's Rights Protection Act. This department has an effect on all of our lives. So while it only represents, I think, less than \$38 million in a global budget of over \$10 billion, which isn't very much, \$38 million, it's a very important department in that the programs that are involved in this department include research and education, the protection of rights of employees and employers, protection of rights of individuals, and the enforcement of the regulations that deal with safety services for workers and for the consumers in our province.

But in all of that, in the \$38 million that's going to be expended by this department, what I find a little disappointing -- I find it actually a lot disappointing -- is that there's very limited subprogram breakdown and subservice breakdown. So perhaps we're about to approve tonight, pass -- I don't know -- approximately \$38 million. The opposition, I'm sure government members as well, are going to want to ask questions, yet we're sort of restricted in that there isn't the subservice and sub-

program breakdown. I do believe that's unfortunate, because we are spending a lot of money here tonight.

I have some specific questions that I would like to direct to the minister. I'll start right at the very beginning of the budget. I'll start with that which falls under vote 1.0.2, the Executive Management of the department. Now, this increase of 52.2 percent, or almost \$224,000, is a substantial increase. I'm wondering why we have such an increase, when we look down at the Summary of Manpower Authorization and we see only an increase of one position. Now, surely to goodness we're not going to take that one position and assume all of the costs to be \$224,000. So I would like some explanation there.

One of the things that was interesting during the tour of a previous Labour minister around the province is that the previous Labour minister said that he wanted Albertans to communicate. I see that in vote 1.0.6, Communications, the budget has gone up by 131 percent or \$60,000. Now, I'm sure that the previous minister and indeed this minister doesn't expect all of the communications that go on between the employers and the employees and the government and management and labour are going to be funneled through the minister's office. So I am kind of concerned about why we're having an increase of 131 percent in the communications budget for the department. It seems to be double the amount of the '87-88 fiscal year, which I believe was the year in which the task force traveled around the province and spent money advertising. Was that the year, '87-88? I would imagine that there was an awful lot of money spent on advertisements, trying to get people to come out to the labour hearings. So I'm wondering why we have such a major increase when we don't foresee . . . Maybe there's something under a shell somewhere. Maybe there's something hidden. But we don't see an obvious need for an increase in the communications budget to that degree.

In vote 2 -- and I'll just flip over to my notes. It's been quite some time since we've had the annual report for the Department of Labour. At least, the library downstairs was only able to provide me with a copy going back to '86-87. So there are an awful lot of questions that may have been answered if we had had a report for at least '87-88. I'm wondering if the minister can advise us as to the reasons why we seem to be so far behind with respect to annual reports, because I certainly would appreciate seeing some updated figures. Failing that, I do want to ask a few questions with respect to the pension plan services. I'm wondering, in that we haven't any recent information: how many cancellations have there been? Is that information available, and can we get a response to that? How many cancellations have there been, and how many workers have been affected by those cancellations; of the pension plans?

Under vote 2.0.3, Mediation Services, over the past few years the number of appointments that have been made have been steadily declining. But again, because we haven't an annual report, we're not sure how many appointments there have been in the last couple of fiscal years. For example, just in terms of the steadily declining number of appointments that have been made under mediation services, in '83-84 there were 59; it dropped down to 17 in '86-87. What has it been for '87-88, and how many have there been in '88-89 under those services? I'm also wondering for which grievances the mediation services may have been appointed. If there are some outstanding ones that I may have missed or overlooked, I'd like to know which grievances they were appointed for as well.

Vote 2.0.4, Employment Standards. Again, I'd like an up-

date on the number of inquiries that have been made through that department. In the most recent annual report it was suggested that on average in the offices around the province there were approximately 1,000 calls made per day. Now, I don't know if that was in a bad year or a good year, but we certainly need to find out how many Albertans are making the inquiries to the employment standards branch from around the province. What is the nature of the inquiries? You know, I've had a number of complaints made to my office. I'm sure that most members here have.

I believe that you should be in receipt of a letter that I sent last week with respect to a matter that went before the employment standards branch, of employees in Edmonton who weren't being paid, hadn't been paid in months. When they went to the employment standards branch, they were given the usual information that perhaps an order could go before the employer, and perhaps with a little bit of luck there might be some possibility of their being paid, but some of these employees have gone months without being paid. When they phone the employment standards branch and they're told that maybe something can happen, is the reason they're being told that maybe something can happen because there's not enough staff? Are too many of the employment standards officers that would go out and do the investigation -- is their caseload so high that they haven't the time to take on new cases, to go and make certain investigations?

We have to be made aware of what's going on inside the employment standards branch because there are an awful lot of Albertans that are making complaints. The most recent report again says a thousand a day. So I'm curious about a couple of figures that might fall into those thousand. I'm wondering what the success rate would be for employees that are seeking to get their back pay to them. What's the success rate of the employment standards branch? I'm wondering what percentage, if a percentage is available, or if figures are available of those orders that are against employers that happen to fall in the service sector. Our economy is changing. All of the ministers on the front bench offer time and time again that our economy is changing from resource extraction to service sector. So what kind of guidelines are in place for those people that are involved in the service sector? Of those people that make complaints, do we know how many of those folk are falling in at minimum wage or near minimum wage, within, say, 10 percent of minimum wage? Are they being treated by employers as employees not really worthy of too much consideration? Are those statistics being kept? What percentage?

The minister talked about women in the work force. I wonder what percentage of them are women, are part-time workers. We see an increase. Although figures on your side of the House suggest, the Minister of Career Development and Employment suggests, that the number of full-time jobs are up and the number of part-time jobs are down. I guess I have some contradictory figures, because I see figures that say part-time work is up and full-time work is down. So I'm wondering how many people that phone into the employment standards are part-time workers that may not be protected or feel protected. What's the number of young people that phone in that are in that youth category of 15 to 24? How many of those folk have complaints? So without the benefit of a updated annual report it is very difficult to find out certain information. I am indeed hoping that the minister will be able to provide us with some of that information tonight.

I did ask the minister to advise us the average number of cases per officer at the employment standards branch. We seem to be having all kinds of statistics on all kinds of information. I'm wondering what the average length of time is involved in in each case. In the complaint that I sent forward it took an extraordinary long period of time, and this is one of the happy-ending stories. The complaint that I'd taken there was for a chap that had been employed by an employer and received minimum wage for a lot of years. Almost every regulation, every section had been violated. We complained. The individual got his money eventually, but it took a terribly long time to get that money. From the time of the complaint to the time that worker received the moneys that were due him a lot of time passed. So I'm wondering what the average length of time is to take a case from the start to its completion and if there's a waiting list.

Again, just to go back to the point I made earlier about the worker who phoned the minister's office and then phoned my office with respect to not being paid for months. I know that in the Industrial Wages Security Act there's a provision that ensures that workers are paid. I know again from the Reid commission, or whatever the commission was that studied the labour laws in the province and made proposals for recommendation, that there was provision in there under the deemed trust. But it doesn't necessarily seem to be working all that well if workers are going unpaid. So I'm wondering if the minister would care to make any comment at all, because it's really not fair that employees who work for a period of time have to wait, if they're lucky, to be paid or perhaps wait and find out that they're not going to be paid at all.

Moving on to the next vote, where we have General Safety Services, again a most important area of the department. We have a budget of \$14.6 million-plus, and we haven't any sub-program breakdown. So, again, we're not given any details to try and ask some specific questions. There are some questions that really ought to be provided on the paper I have before me. How much of the money that we're paying out of this \$14 million is going to go to education programs? How much of the money is going to go out to retraining or to field staff or to administration costs, to the purchase of fixed assets? How much of this is going to actually get down to the end where there's going to be a benefit to all Albertans? You know, \$14.6 million may not seem like an awful lot of money to the government that spends over \$10 billion a year, but it's a lot of money to me. It's a lot of money to my constituents, and again we don't have the breakdown. So I would hope that perhaps in future budgets the minister might instruct the department to provide some further information with respect to that.

I am concerned about a couple of areas under the general safety services program. I've been in contact with a number of workers who are involved in industrial construction. They have made a couple of comments, particularly about the urban versus rural structure of industrial development, in that in some of the large urban centres the municipalities offer services that check on the construction. They have to meet certain standards, and municipal inspection staff go out to make sure that their building codes are being followed. But in the rural area that same kind of application for safety and concern may not be there. In those areas where we have major projects going on, in centres around our province that may not have a municipal infrastructure to go out and ensure that projects are being completed to the degree that they ought to be completed, I'm wondering if the minister can comment on what services are available to those project

sites or to those construction companies or to the people who live in the area to ensure that they're properly being enforced.

Also with the safety, again, what kind of enforcement programs are in place? We know that in occupational health, safety inspectors go out after there's been an accident or after there's been a near miss. But what prompts, what motivates the Department of Labour to go out and make certain investigations? Is it the performance of the contractor, or are certain contractors that have a high accident rate marked or listed so that when they undertake certain projects, they are going to be highlighted so that inspectors make special trips out to see them? The bottom-line question is: what prompts the department to go out and make those investigations?

I'm also wondering if the minister is satisfied with the number of checks that are made across the province by the department. I've been advised by a plumber that there's a particular case he was concerned about. There was a lack of inspection in a cross-connection control. Now, I'm not sure what a cross-connection control piece is. The way he explained it to me it didn't make much more sense after he explained it to me than it did when he started. What it apparently is is that when they were trying to move out contaminated water, a cross-connection control piece wasn't properly set up, and it was only because there was a very experienced plumber on site that they were able to ensure that contaminated water didn't get into the potable water supply. Apparently that's not covered under the department. I don't know; the plumber thought it ought to be because there are the safety inspections under plumbing and gas. But, again, he thought this area wasn't covered and ought to be.

While we're on that particular topic, while it doesn't necessarily relate to the estimates, I'm wondering if the minister can advise us of the status of the proposed uniform general safety Act. I would like to know if there's been any response to that from the cabinet or from caucus members to find out whether or not we're going to see that legislation brought down at some point and when.

Going to vote 4, we have an increase of 17.7 percent or about \$250,000. Now, I'm curious again to know: why the increase? The number of employees in that particular department is up by 40 percent. Obviously, there's a necessary increase in the wages for that. Some sense of irony, I suppose, is that the previous minister said that he wanted to make the labour code a little easier to understand, a little less legalese and less complicated. But it appears, given the fact that we're going up nearly a quarter of a million dollars and an increase in staff by 40 percent, that that just didn't happen. In fact, the labour laws probably became more complicated and more to the liking of lawyers than common, ordinary folk, and more challenging, I suppose. Again, just some comments, please, from the minister with respect to that increase of 17.7 percent.

In vote 5 my colleague the Member for Edmonton-Avonmore is going to speak to matters of the Human Rights Commission and individual rights protection. So I'm not going to speak on that at all, although I do want to congratulate the minister and encourage her to try and get through that important component that's terribly lacking inside our Individual's Rights Protection Act, and that's orientation. I know you're challenged inside and outside your caucus, as we are in our constituencies as well, but it's important that we include sexual orientation and mental orientation in the Individual's Rights Protection Act.

At one point when I worked as an executive assistant here, a person from a small community who had worked in a nursing

home for, I think, probably at least five years and had worked very well had been fired based solely on the grounds of his sexual orientation. It was terribly sad that he had to be fired. The residents of the nursing home were upset. They, after five years, didn't care what his orientation was. It didn't affect them; it didn't affect the kind of care he had given. Yet because somebody wanted to keep that individual away from -- either the employer or the people that he was giving care to decided that sexual orientation was sufficient enough to dismiss the individual, and that individual had no rights and no recourse. So I do want to encourage the minister to go on and take on some of the dinosaurs that are no doubt going to be standing in the way.

My colleague for Edmonton-Beverly, I believe, is going to be addressing the matters in vote 6, public service, so I'm going to leave that almost exclusively to him other than to make a couple of comments. I was amazed a couple of weeks ago to see in the newspaper that the minister thought it fair and equitable that senior management, some of whom are making well over six figures, receive the same kind of increase in terms of a percentage as those folk who toil down at near minimum wage inside the public sector. Now, I know that's probably breaking the minister's heart, but I want to point out that 4 percent at the high end may amount to \$4,000; 4 percent at the low end may amount to \$800 only. There's a real discrepancy. That's \$3,200 difference. Now, if we're going to look at percentages only, then that's not fair. That's not fair for the folk that are sitting at the bottom end. Look at other jurisdictions that have set aside funds to try and bring those people that are at the bottom, for the most part mainly women, bring their wages up to a level where they are not working for terribly low rates.

And the sun's still shining.

MR. DECORE: I, too, share my colleague from Edmonton-Belmont's view that the budget process is a difficult one to understand, a difficult one to have us analyze and to vote, Mr. Chairman. The government, the minister in particular, is bringing forward a request for public funds. This is the only opportunity that I and others have to question the minister on the detail of each program, and I wish, too, that it were better set out and that we didn't have to waste the Assembly's time ferreting out this information. Accordingly, I would like to ask the minister whether she would be prepared to allow me to put a series of questions to her, to have her answer, and to allow me to ask other questions if I feel it necessary to gain further and other information. I'm particularly interested in 1.0.2, same as my friend, 1.0.6, 2.0.4, and 4.0.1. I wonder if the minister would allow that.

MR. DEPUTY CHAIRMAN: I think if I might mention it again, hon. member, we've had the request three times this session. It is certainly up to the minister, but you have your time now on the agenda, and it's yours to use.

MR. DECORE: Is she prepared, is she ready to give us more particulars on each of these matters that I've outlined?

MS McCOY: Well, perhaps, Mr. Chairman, we could hear the member put his presentation forward, and then we could deal with the question later.

MR. DECORE: I'm specifically interested, Madam Minister, in . . .

MR. DEPUTY CHAIRMAN: Hon. member, I think the answer is clear. Would you proceed with your presentation, please?

MR. DECORE: She is prepared, as I understood it, Mr. Chairman.

MR. DEPUTY CHAIRMAN: At a later time, yes; that's the way the Chair interprets it.

MR. DECORE: At a later time. All right.

I too would like a complete breakdown of 1.0.2, the allocation towards the program executive management, which is an increase of 52.2 percent. What's that for? What better service are the people of Alberta going to get by a 52 percent increase? How many people are involved in that increase? What sort of wages are we talking about? I would like a complete breakdown of that increase.

With respect to 1.0.6 there is an increase of 131 percent. I want the same kind of breakdown, Mr. Chairman, for that program. How are the people of Alberta going to be better served? Are there more staff being brought on? What's being allocated towards the wages and so on?

With respect to 2.0.4 there is an increase of 13.3 percent for Employment Standards. Now, I'm pleased to see that there is an increase there, but, again, give us the complete particulars on why there is an increase required.

On 4.0.1 there is a 17 percent increase being requested in public funds. The same particulars, in terms of detail, I would request there.

Now, Mr. Chairman, we cannot say that the last year has been a particularly happy year in terms of labour management relations in Alberta. Most particularly, nurses are still very much unhappy with their plight. I would like to know what action the minister has taken to improve that plight of nurses. Is she satisfied with the way things have gone to date? Is she satisfied that everything that is necessary that needs to be done to improve that relationship between nurses and hospital management has been achieved? If she isn't happy with that relationship, I would like to know what she intends to do to perfect it.

With respect to the Zeidler forest products matter I would again ask the same questions. Is the minister prepared to settle that matter, intervene if necessary to end a long-standing, a long-festering, a long, agonizing dispute between management and labour?

With respect to the new labour code I would like to ask the minister whether she's content with the way that new labour code, that new labour Act, is operating. Is she of the view, is she of the opinion, that unionized employees and management are happy with the new labour Act? If they're not happy, what action does she intend to take to perfect the Act? Is she prepared to meet with members of unions, unionized representatives in Alberta to see what their concerns are and to see if she can perfect the legislation?

Mr. Chairman, it's my understanding that certain fire chiefs of the province of Alberta have requested of the Labour minister in the past to change labour legislation, which would allow those who are really involved in management, officers in the firefighting system of major centres -- whether they could be taken out of the union scope and put into the management scope. It is my understanding that representation has been made by a number of fire chiefs to previous Labour ministers. It was my information that at one time the government was

predisposed to allowing that change to be made. Can we expect that change to come to us? I'd be interested in knowing whether the minister has looked into that issue fully and completely.

With respect to the Employment Standards Code, Mr. Chairman, this is an area that will be receiving more funds. It's an area that considerable difficulty is now being experienced in. One of the things that happens in large urban centres in Alberta now is that malls which are allowed to stay open on Sundays are forcing men and women, usually women, to work on their Sabbath. Much has been made of the family unit and the desire of this government to keep the family unit strong. I'm wondering if the minister is prepared to make the necessary changes to the Employment Standards Code and whatever other labour legislation is needed and to recommend to her colleagues that changes be made under the Landlord and Tenant Act to allow people to choose to take their Sabbath day off without any kind of reprisals, any kind of reprimand, any kind of threat of being fired, or in any way harmed in their jobs. It's my information that a number of people, particularly women in the Edmonton area, are told that even though you want to go to church, even though you may want to go to the place of worship that you have, too bad, you're going to have to make yourself available at such and such a time on Sunday and come to work. Now, I don't think that's right. I wonder what the minister is prepared to do about it.

With respect to the Employment Standards Code and more particularly the new Act that the government is contemplating, the Family Day Act, I wonder if the minister would be prepared to change labour legislation and the Employment Standards Code to allow a man or a woman -- and again, more particularly women because they're the ones who seem to be exploited most in this area -- to declare that they will be able to take that Family Day off without any reprisals, without any mall manager or business manager saying: "No, I don't care about Family Day. You come in here and you go to work or you're not going to have a job." Is the minister prepared to add teeth, add strength to their commitment that family should be together on Family Day?

Mr. Chairman, I'm informed that considerable change has occurred in janitorial workers, custodial workers, who work for the government of Alberta, work for the province of Alberta and more particularly in government buildings in Edmonton, that people are being shooed out of their jobs, pushed out of their jobs in favour of contracting out, and that those custodial workers who have been here for a number of years who had job benefits now find themselves out of work. This has been taken over by private contractors who are paying lower wages and, of course, reaping profit. Now, I would like to know whether this is true, Madam Minister. Have you looked into the matter? Will you look into the matter? Will you determine whether or not these rumors that I've heard are in fact correct? If they are, what action will you take, or will you take any action, to re-employ those people who have been let off? In particular I would like to know what wage levels are being paid to the new employees, the employees who have been put into these positions where others have been shooed out or pushed out, what profit margins therefore are being given to these private contracting entities, and whether or not these profit margins in any way equate to the benefits which are not paid to the new workers.

Mr. Chairman, I'd be pleased if the minister would answer those questions. Thank you.

MR. SHRAKE: Mr. Chairman, just a couple of comments there. Earlier I heard somebody make reference to Bill 110. I was in this Legislature when Bill 110 came through. I guess we debated that thing long and hard. I remember we had 4,000 people out in front of this Legislature Building, and they were very upset. Most of them, due to some of the information given to the working people out there, had a feeling this was real bad, this was awful. I remember myself going through this. I have an area which has a lot of working people, a lot of unionized people, and I agonized over this thing. Yet Bill 110 was the one chance we had to try to salvage the unionized construction company. But after 4,000 people hit the steps of the Legislature, we decided no, we've heard the response back. We tried to sell that Bill 110, and it still angers me today to hear people speak of it as though it was something bad when that Bill was a very good Bill. It was the one chance we may have saved the construction industries that were unionized.

Anyway, we had a meeting with the leaders of the construction trades up in, I think, room 512 of this building, and we said: "Well, if you don't meet the challenge now, the non-union companies are going to eat up the unionized companies. There will be no jobs for the unionized people." Of course, the union members, they're free to walk across the street -- I think the expression then was "put the union card in their shoe" -- and take the non-union job. No union would stop them because they realized these people had to have the jobs.

So whenever I hear a member refer to Bill 110 in a derogatory manner, I remember the minister at that time, how hard he tried. Man, he really tried. He kept trying to say that it may save the unionized construction companies. But he went down, and so did the unionized . . . For a while the carpenters -- I happen to have a very dear friend that's a carpenter; I've known him for years. He was making \$18 an hour, and then later he was very glad he got on at one place that was paying \$10 an hour. He was happy to get on, because some of the, I used to call them scab companies, or whatever, were trying to get by with \$8 an hour for a carpenter, and it was a pretty rough time. We're talking not that many years ago, 1982.

Anyway, I'm glad to see that we do have some new legislation that came through. We got the construction industries -- the trade unions all go for the contract, and they all ratify it or none. It takes a majority to handle that now. It eliminates a little problem we ran into, I think back in '81, where everybody settled except pipe fitters. The pipe fitters said, "Nope, they all took so much, but we're the last one out, and we can still hold up every project because we want a little bit more." And the contractors gave them a little bit more.

Madam Minister, I do want to congratulate you on your new position, and I hope you will work with our unionized people in this province. We've got some good workers. I would hope that one of these days maybe I could get you to do what I got the former minister to do, and that's come down to Calgary-Millican. I was successful in getting every construction trade in the city of Calgary to send a representative out there. We had a little different type of meeting. We met in my constituency office. I happen to have a boardroom big enough to get us all in, and I got my little assistant to become the bartender. As they came in the door, we gave them a drink. I kept telling them: "We're not going to talk any serious business; this is a social thing. I got the minister here, and we want you to socialize with him, but no serious business tonight" I repeated that over and over until we all sat down at the table, and then we promptly got

right into a very serious discussion. In fact, I got that carpenter friend I earlier mentioned -- he's one of the ones that helped serve. I said, "I don't want any glasses to go dry while we're sitting here." So the meeting turned into . . . Plus we had asked the other thing, the unthinkable: we had asked the people out from Bennett & White, from pretty well all of the major unionized contractors that were still alive at that time. You know what? Then we sat down person to person and limbered up. There was no news media there, no outside people. It's not a secret meeting, but we suddenly found out this very unusual thing which they discovered. The unionized company had just as much to lose as the unionized worker. They were in the same boat. They had to compete to get these jobs. I remember a couple of the guys from the company said: "Well, we are not even bidding. We never even put in a tender on certain jobs because we can't compete with the non-union guys, and we were still unionized. Then our spin-off companies, we can't even compete because we wouldn't think of offering a carpenter \$10 an hour, and yet they got them going to work out there for \$8 an hour at that time." So I would hope we do hit an era of peace in this province.

I heard one other thing mentioned. This is regarding, I guess, Bill 44. I heard mention about the nurses. Maybe there is a sore point there that's got to be looked at, Mr. Chairman. Maybe the minister can take a hard look at that. This was set up to try to avoid strikes. If you get a strike in a hospital, there's no winner there; I assure you that. Whether there have been deaths or not, have been people who died because they couldn't get into the hospital, we're not sure, but there's a couple that have been attributed to it. They may have lived if they had gotten into the hospital and gotten their operation and gotten their treatment. So we don't want strikes, yet we're not a dictatorship here where we're going to force the nurses in.

When they had this last strike, I went out to one of the picket lines and I did talk to them. There is a perception, right or wrong I don't know, that we have stacked the arbitration board; Bill 44 stacked it against them. Well, the makeup of the board is supposedly that we have a balance, but they perceive that we have it stacked one member so that a majority vote will always come down against them, that it's not a fair board, that this arbitration would not be fair arbitration. So I hope the minister will take a look at that. Maybe that should be changed, because sometimes not only must you do the right thing, but also you must seem to do the right thing; you must be seen to do the right thing. So I hope that's something you will look at and possibly bring a change back into this Chamber here. Change that legislation on the compulsory arbitration for the nurses so that they do not feel that their arbitration board that they have to go to -- and it's a binding arbitration; it's a final decision. They've got to feel that's a neutral board, that they have a fair shake when they hit that board. I hope that before this session is over, before this term is over, and before we have another election, that's been addressed. I hope we do make an attempt to make that appear more equal, a little more even.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Avonmore.

MS M. LAING: Thank you, Mr. Chairman. I'd like to congratulate the minister on her appointment, and I would just like to address one of the votes under this department. That is vote 5, which deals with the Human Rights Commission.

I would applaud her appointment of the new Chair of that commission. I understand that he is bringing a great deal of energy and initiative and a very proactive stance to the commission. That has been badly needed, and we're very glad to see it.

I would also commend the minister in her public statements in regard to the changes in the Individual's Rights Protection Act in regard to the inclusion of sexual orientation and mental disabilities as protected categories. We have also heard about the need for education around the issues of human rights protection, especially as it is through education that we increase public awareness of the issue and the need for protection. That education needs to proceed but also to go hand in hand with extension of the protection under the Act. We know that around the area of mental disabilities and sexual orientation many myths, much misinformation, and prejudice still abound, and that needs to be corrected. We've heard members of our city council say totally unacceptable statements and have seen violence on our streets because of those kinds of public statements that fuel the kind of prejudice that makes life very difficult for many people in our society. It's important to recognize that legislation itself has an educative function and that legislation and public education are complementary endeavours and that they need to go on at the same time.

I am concerned, however, that if we do extend the protection, that will engender increased investigative activity and the commission will have more cases to investigate. And so I would just at this time voice my concern about the very minimal budget increase for the human rights protection commission, and I would ask for assurances that this increase, which is only 1.2 percent of the budget, hardly keeping up with the cost of living, will not mean that service is cut, because certainly we know that there is increasing demand in terms of visible minority groups. Many of us in our office have had phone calls and meetings with foreign doctors. We know that there is much work generated around the issue of sexual discrimination in terms of sexual harassment, and if in fact we are going to include new categories of protection and then investigate allegations of abuse, that will require more funds. So I would just raise that concern with the minister.

Thank you.

MR. DEPUTY CHAIRMAN: The Member for Calgary-Foothills, please.

MRS. BLACK: Thank you, Mr. Chairman. I would like to congratulate the minister. I feel extremely confident that we are in good hands and that a lot of changes will take place in the Department of Labour. In particular, I'm extremely pleased to see an emphasis on eliminating and decreasing discrimination within our labour force.

When we get into the labour relations end of the budget, I'm particularly pleased to see that we're putting some more emphasis on mediation with the labour groups. I think an act of prevention at the start of negotiation is sometimes half the battle, that if we sit around the board table we can eliminate some of the problems that can arise when things are left to fester. I, too, am pleased to see in my constituency a favourable response from the nurses that live in my riding that have been working out at the Foothills hospital. They seem to have a positive feeling, and I'm very pleased about that. I think we can work together to see an end goal of satisfaction for all.

The Human Rights Commission is something that I am par-

ticularly pleased with again. I have one question, though, Madam Minister. In your opening comments -- this kind of continues on with this afternoon's discussions -- I believe you made the comment that in the years to come only 15 percent of the labour force would be male. I'm not too sure if I heard you correctly. [interjections] I didn't hear you correctly.

MS McCOY: Net additions.

MRS. BLACK: Net additions would be 15 percent. What are we going to do with the rest of them? There must be more than that addition of males somewhere. I don't know, but I gather that we're planning on putting them in . . . I notice the Member for Edmonton-Avonmore is laughing. But sometimes that's an element of good news. I guess we are going to put them in their place in a certain way.

I am very pleased to see you in this position, in this portfolio, and I know that your treatment and your awareness of equalities and fairness have always been there with the movements that you've put in place with the women's issues in the province. So I feel very confident that when you're dealing with the labour force as a whole, the same fairness and equity will be present.

Thank you.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Beverly.

MR. EWASIUK: Thank you, Mr. Chairman. I want to make a few comments on two votes, vote 2 and vote 6. But first let me say I'm indeed encouraged by the opening comments of the minister. Obviously, her philosophy in approaching this portfolio is one that is quite different from what we have experienced for some time. I wish her well in her endeavours and in promoting and advancing the kind of thoughts and philosophy that she seems to have.

I want to deal with vote 2, primarily with an experience that I had in my constituency and dating back to 1988, when the Minister of Labour at that time issued a press release. I recall him making the comments here in the Legislature where he said, and I'm quoting from the news release,

Employees in provincially regulated industries across Alberta will have increased protection and enhanced benefits when Alberta's new Employment Standards Code comes into effect November 1, 1988.

That's a quote from the minister of the day. Well, I recall that very well, because I knew that up till that point the labour standards and the protection for employees really was not functioning very well; in fact, it was very poor. However, the experience that I have gained in my dealings with that particular branch of the department really doesn't square with what the minister said at that time. In fact, I don't really see that there's been much change over the years.

Perhaps what I'll do, Madam Minister, is sort of outline and ask the questions for your consideration at perhaps another time or perhaps to respond to this evening. But the problems that were incurred were delays in the investigation of claims. Claimants were told to expect six to eight weeks' delay. Now, I'm not sure why that is the case, and I'm assuming there might be a shortage of staff in that particular area in light of the fact that there are well over 10,000 claims filed on an annual basis. That suggests that there is a problem, perhaps, in staffing there when the time frame is so extended when they are dealing with the

investigating of claims.

It seems the department's policy discourages quick findings of facts and issuance of payment orders in favour of making a deal. It seems the department, rather than proceed with the investigation, rectify the situation, and conclude it, prefers to use what I would term "back room deals" to try and resolve the problem rather than attacking the problem as it should be. The question I ask is: why can't there be an initial investigation and determination of the facts at issue, followed by immediate issuance of the payment order? This could be followed by a mediation process directed at obtaining payment of money owing. The current practice is to delay issuing a payment order while entering into often protracted negotiations for payment. If that process fails, there is a further delay while waiting for a payment order. This is not only frustrating but it leaves the employee unprotected, and he has no recourse, particularly in the event of the employer contemplating shutting his business down. If there is no payment or order issued, the employee is basically left without any recourse.

Another question is: does a payment order give any rights? We seem to think that without a judgment, the employees can't collect their wages, and yet we are wondering whether the order in fact gives the employee that right. Who helps the employee in the collection process? Why does it cost the employee money in order to collect money that's owing to him? How is he kept informed? We feel that the department really doesn't want to communicate and keep the employee abreast of what's transpiring. If they call for information, they are simply told, "Look, we are investigating, and we'll get back to you when we have something to tell you." That might be appropriate, perhaps, but I think an employee who has lost a fair amount of wages, has had a delay of six to eight weeks in the investigation process, really wants to know what's happening, how the thing is going. We seem to have a very abrupt answer to them, really simply saying, "Look, we'll get to you when we have some information." I don't think that's proper or fair.

How are the employees' interests protected during the appeal process? They really don't seem to be. Why are there limits on the trust account into which money must be placed? At the present time an employer can place up to a limit of \$300 on deposit, irregardless of what the amount owing to the employee might be. I wonder why there is such a piecemeal approach where employees complain and trigger investigations which would reveal that there are other employees affected in the same way. Yet the branch, rather than encompassing all of these complaints and dealing with them, says, "No, we'll deal with one employee." And if there's another employee in that company who's experiencing a problem, he goes through the same six-week process. If there are three employees, it takes much, much longer. I simply think that it's a totally inefficient operation. It perhaps explains why it takes so long for an investigation to take place when they keep dealing with individual cases with one particular company when, indeed, they could encompass the entire operation, check the books, and determine how many people are owed money and how much and do an order. The department doesn't seem to want to do that, and we can't understand why they do that.

If a company is insolvent, an employer makes sure that he or she has no personal assets. How can the employment standards branch protect employees? How are employees protected when failure to pay wages is deliberate, prolonged, and widespread? How can new employees be protected in a situation like this? In

fact, in a particular situation that I'm aware of, the company was not paying wages to existing employees. At the same time, they were applying for and receiving grants for STEP and PEP and bringing staff on. New employees were being hired at the same time other employees weren't being paid, and these new employees were being put into the same situation. It seems to me there has to be some way of discipline, if you like to use that word, to employers who use that practice. I think it's not fair to the public, and it's certainly not fair to those employees that are working for them. There's no deterrent to prevent repeat offences. There are no fines. They don't have to pay any interest on money owing to the employee. There's no suspension, and there's certainly, and I say it again, no disqualification from employment subsidy programs.

The other thing is: why is collection left up to an individual, including all costs? Again, if an order is not issued, the employee really has to take it upon himself to attempt to recover this money. Usually it costs him money to attempt to do that when we, in fact, have a department that should be doing it for him. The reality, I believe, of the whole situation is that an individual is basically left on his own to collect his wages. If he goes to a sheriff to help him collect, it costs him at least a hundred dollars. It costs him additional funding if wants to impose a seizure; fees such as cartage, towing, or storage fees have to be paid by the person who's trying to collect his wages. An initial deposit of \$200 is required in addition to the fee to the sheriff. Quite often these people are not in a financial position to be able to lay out that kind of money to collect their wages. I then have to ask the question: under such conditions, how can it be stated that the Alberta wage recovery protection is the best in Canada, as the minister said in 1988? I think it leaves a great deal to be desired.

I think this branch of the department needs to be looked at thoroughly. I think there needs to be an adjustment made within the department to determine what the problem is: whether it's the policies, whether it is a shortage of staff, or whether the will is just not there to do the job that they're supposed to be doing. Whatever it is, I hope the minister will take it upon herself to have a look at this department and see if we can resolve the problems that I believe persist in it.

I would now like to turn, Mr. Chairman, to vote 6, and that deals with Personnel Administration. Again, I think the minister has inherited some of the things that I'm going to say which may not necessarily be her doing, but I think she is part of the government who was responsible. I think the government as an employer, in my opinion, in this province is really setting a poor example in terms of employee relations. I think one can only look back to several years ago when the International Labour Organisation found this government in violation of convention that was signed by Canada that established the standards for labour legislation. This government violated the legislation and then ignored it when the ILO advised the government of its violation. I'm disappointed (that to date the government has not brought in legislation to bring it in line with the ILO order. At the present time collective bargaining in the public sector precludes any rational process that is enjoyed by the private sector.

A case in point has to be the recent dispute encountered by the provincial social workers. We know that they couldn't strike, they can't arbitrate, and they were left with a feeling of frustration, a lowering of morale. And with the important positions and the job and the work that these people do, in that



they're working with the people in our province, I think this group deserves much better than they received because of the rather poor methods and tactics that this government uses in negotiations. As far as I'm concerned, this is not free collective bargaining when an employer, which in this case happens to be the government, can simply sit back and say no, no, no, and not really need to rationalize or justify their reasoning for taking that position. As I see it, by taking that attitude, the government is not addressing the problem or attempting to resolve a problem that exists, in this case with the social workers, but I think we've experienced other sectors within the public service that experienced the same kind of frustration.

I think if we're really concerned about employee relations, we will attempt to deal with them. And I would ask the minister to open up the door and open up a dialogue with the representatives of our public sector employees' union and allow them to work with you, and you with them, to attempt to sort of do . . . I think all they really want is to have proper working conditions; they want respect and they want dignity. I think all of us want that. And I think the way the process is being handled now, the attitude of the government in negotiations, leaves a great deal to be desired.

In conclusion, I again simply would urge that the minister take a view to developing a fair mode of negotiations, where there is fairness and justice in employee relations with all our employees. I feel they're as much my employees as they are yours. And I think the sooner we open good dialogue, dialogue of mutual understanding and mutual respect, it will go a long way in resolving problems that may exist in the public sector.

I thank you, Mr. Chairman.

MR. DEPUTY CHAIRMAN: Member for Calgary-Fish Creek.

MR. PAYNE: Thank you, Mr. Chairman. First of all, I'd like to point out to the recently appointed Minister of Labour that as I was casually flipping the pages of the current issue of *Alberta Report* magazine, I was pleased to see on page 9 her photograph, but with the unfortunate caption: "McCoy: The wrong portfolio." When I spotted the photograph and the caption, I erroneously assumed that the writer of the piece, or alternatively someone he was quoting, was making the point that the minister was in fact improperly assigned in the most recent cabinet appointments. However, on reading the piece, it was apparent that the caption referred not to the minister and to her appointment but rather to an error that appeared in some legal document in which she had been incorrectly identified. Frankly, Mr. Chairman, it's my hope that a year or two from now, because of certainly the expectations I have of her ministerial performance, we might once again see this photograph but with the caption: "McCoy: The right portfolio."

Mr. Chairman, I would like to mention to the minister tonight and to members of the committee several conversations I've had over the past year. They have to do either with the Labour Relations Board or with the employment standards branch or possibly both. I've been contacted on more than one occasion by the father of a young man who is in Calgary's work force. I assume the young man is perhaps in his late teens or possibly his early 20s. The father reports to me that the working conditions are almost medieval at this particular establishment, and recited for me several illustrations I found hard to believe, that in such a contemporary, progressive city as Calgary there was a work establishment that had some very questionable prac-

tices and conditions. I asked the father the logical question, "Well, have these been referred to the Labour Relations Board or the employment standards branch?" The answer was, "Oh no, we dare not do that because it's been tried, and unfortunately the government procedure is such that the person making the allegation of inappropriate or deficient working conditions has to identify himself or herself before the procedure is triggered." Apparently others associated with this young man, in fact, ended up losing their job; either were fired or asked to leave once their identity was made known to the employers.

Now, I haven't conducted any personal research into this episode. I'm just accepting at face value the accuracy of the information provided to me by the father of the young man. But assuming that this information is accurate, I wanted to make a suggestion to the minister or at least to ask a procedural question. But before I do that, I realize, of course, that if we were to incorporate in the government, in any department, a procedure that could be triggered by anonymous allegations, we would open a Pandora's box of vindictive, vengeful behaviour by employees who for whatever reason felt they had been not properly dealt with. Even recognizing the risk of that Pandora's box being opened, I'm wondering aloud tonight with the members of the committee and with the minister if there couldn't be some procedural compromise struck; for example, a system whereby the aggrieved employee or the employee who has observations to make about these inappropriate conditions could make those known to the department or to the Labour Relations Board or the employment standards branch, whichever, and yet his or her identity would be withheld from the employer. Maybe this could make it easier for well-founded and well-grounded observations to be made, with the view, of course, of obtaining eventually some resolution of whatever the inadequate condition or standard is.

Thank you, Mr. Chairman.

MR. WRIGHT: Mine is a limited point, and it concerns vote 6, which deals with the Public Service Act. What, by the way, is I.D.S.S.? [interjection] Yeah, I had the same reaction. It's not defined elsewhere. The Speaker would be quite annoyed, I think.

AN HON. MEMBER: Interdepartmental support services.

MR. WRIGHT: I see. Okay. Well, it's not about that I'm speaking. I just wondered what it was. It's in that vote. Okay. Thanks.

It's the way the department deals with the core section of the Public Service Act, which is section 25. That's the section which lays down the rules for discipline, including dismissal. I remind the minister of a little history here, which is that up until about 1967 there were no rules for discipline or -- well, that's not quite true. There was no protection in the Act against improper discipline, improper dismissal, because the idea was still maintained that employment by Her Majesty was at the pleasure of Her Majesty, and no notice need be given for dismissal, or reasons or anything like that. It was not a normal employment relationship. But on the other hand, just as you could only be -- I was going to say just as you could only be appointed by order in council, so could you only be dismissed by order in council. That wasn't so. But you could only be dismissed by order in council, which was a big deal. And so they had some elaborate rules whereby you had an appeal to a rather powerful body

called a joint council, or something like that, and in fact one had to be really incompetent to be dismissed by the civil service.

Well, we moved into more modern times, and section 25 was passed. Section 25, Mr. Chairman, says that you may only be dismissed, suspended or subjected to other disciplinary action . . .

(a) if [you are] unable to satisfactorily perform [your] duties, or

(b) for misconduct, improper conduct or negligence.

Note there is no such thing as dismissal on notice. There's no such thing as being dismissed because it's inconvenient anymore. In fact, that was the only section until about 10 or 12 years ago, when section 22 was brought into effect. That's the position abolishment section. So there are only two ways that you can be dismissed from the service. The one is if you've misbehaved or you're incompetent or negligent, or your position has become redundant. That's the theory of it. Yet the various departments of the public service, Mr. Chairman, have now developed a habit of, in effect, giving dismissal on notice and then saying, "Well, you've got an appeal if you don't like it," and the only way that you can argue about it is in the courts if you are out of scope of the collective agreement, or of course within the bounds of the collective agreement if you are in scope.

I submit that that is a quite wrong way of administering the Act and that the minister, with having the fresh approach to these matters that she has exhibited so far in some aspects, should have a look at that, because I believe it is a perversion of that section and is not what was meant at all by the Legislature when it passed the predecessor of section 25.

Another point she could look at also is that intrinsic to section 25 is the right to appeal in accordance with the regulations. Now, there's no problem under the Public Service Employee Relations Act. That's the union agreement. But there is a problem for people who aren't within the scope of that, because it's a curious thing that the regulations are not registered under the Regulations Act as regulations and so possibly are not enforceable.

They're just a couple of things that you might look at, but I consider them to be extremely important.

MR. DEPUTY CHAIRMAN: The Member for Calgary-McCall.

MR. NELSON: Thank you, Mr. Chairman. Just a very quick couple of comments that relate to the Labour Relations Board. I find the amount of money that these guys get for making sometimes what are deemed to be bad decisions . . .

It's interesting that the Labour Relations Board, I believe, made a decision recently on the group of civilian workers working in the police department insofar as the collective agreement by the group that they wished to participate in a particular union. They voted that way. The Labour Relations Board turned it down and told them they had to go to another union. I'm just wondering -- maybe this isn't the correct forum, but I'll do it anyway -- how the Labour Relations Board can determine where a group of people who have democratically voted to participate in the IBEW, I believe it was . . . They were told they couldn't do that; they had to join CUPE or the union at city hall in Calgary, which I do believe is CUPE. I'm just wondering where these people get off -- we talk about democracy and various other things -- in placing people into areas they really don't want to be, by majority, and causes them some consternations.

Of course, then the MLA's phone rings off the hook for a little while, and then we lose a few more voters because we don't have any area of appeal for them so far as labour relations is concerned, other than the courts. That's what this whole Act was supposed to remove: the reasons for going to court so that we could save some time and money both from government and the private sector, the unions and everybody else.

I would like to know what can be done to assist these people in having their democratic rights and freedoms protected by a heavy-handed Labour Relations Board.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Calder.

MS MJOLSNESS: Thank you, Mr. Chairman. I just have a few comments relating to vote 2. I think this is a good opportunity to talk about the kinds of benefits and the range of benefits that are given to workers.

If you recall, in our debates last year under the labour Bills that were presented to the Assembly, most specifically the Employment Standards Code, we can reflect back on that debate and remember that the benefits to workers under this particular Bill are few. I think there is a real lack of strong, meaningful commitment to workers and their families when it comes to benefits. I think we recognize that another department has attached the word "family" onto their title, and I think that that has implications for all the departments within the government.

If we look at other countries, Mr. Chairman, especially Sweden, for example, we can realize that the benefits they give their workers and the kind of support they give to their families is something -- we could learn a lot by citing what they're doing in that country. When it comes to sickness benefits, for example, or parental leave, it makes our benefits and our code very weak. For example, in Sweden parental benefit for 12 months is granted to parents in connection with childbirth. An expectant mother can stop working for one month before she gives birth and receive parental benefit. Once the child is born, parents can decide how they will divide the 12 months of the time they get off. Parental insurance is also valid to adoptive and foster parents. Fathers are entitled to 10 days' leave of absence with parental benefit when a child is born. If parents must be absent from work to look after a child, whether the child is ill or if the mother is in the hospital giving birth to other children and the father has to be at home taking care of their child, or when a child must be taken to a dentist or a doctor, has an appointment with a social worker or whatever, parents are allowed a maximum of 60 days a year for each child to do these kinds of things, with full parental benefits.

If a parent wants to visit their child's day care centre or their school, they are allowed a maximum of two days off work with parental benefits. Also, Mr. Chairman, they are allowed two weeks' paid leave if they are putting their child into a day care, just to orientate themselves and the child to that particular day care.

So I think when we read about countries like Sweden doing these kinds of things to support families and support their children, I think we realize we have an extremely long way to go. I'm hopeful that this minister, because she's so progressive in her thinking, and we've heard this over and over tonight, would begin to look at some of the benefits such as the ones I have mentioned, and give them very serious consideration.

In vote 2 under the Employment Standards Code, we see that

there is a substantial increase in funding there. I would hope that the minister would use that increase in funding to implement some of the benefits I have mentioned.

MR. DEPUTY CHAIRMAN: Does the hon. minister have closing remarks?

MS McCOY: Thank you, Mr. Chairman. On May 1 of this year, just shortly after I was given the privilege of the responsibilities that I carry, I met with the representatives from the trade unions, representatives from the employers, and representatives from the labour law bar over the course of a day, and spoke with them in general about what they see coming down the road and what I saw coming down the road. Of course, it was an opportunity for me to meet many of them for the first time, and I said at the time, and sincerely meant it, that it would be only one opportunity and we would continue to meet on an ongoing basis, so long as I have these responsibilities.

[Mr. Moore in the Chair]

I have, of course, since met with some representatives, and I will continue to do so as time permits. I would say, though, that the invitation that was extended to me this evening by the Member for Calgary-Millican is one that I would like to accept with alacrity. I would look forward very much to attending in that fair city, and that most particularly fair section of that city, with the member to meet with his constituents. It would be very helpful to me, and I would ask him to follow up on that invitation as soon as possible.

Somebody, in referring to the Labour Code, referred to a playing field. I think it was the first member who spoke. I think that's a very apt description of what we are doing here. We are, in fact, with the labour code and the Employment Standards Code, really only putting together the rules of the game. The people who are, in fact, making that game work or not work are the workers and the employers. They are the ones who are the prime players in the piece. The referees, of course, are the Labour Relations Board and, in many instances, the courts. What we are doing is devising rules of the game which, in our opinion, do not give an unfair advantage in the playing of that game to one side or the other.

The suggestion was made to listen to working Albertans and what they are saying, and of course I will make that commitment to do so. It's very important to have that input, to know whether the rules of the game are, in fact, working. The word "balance" was used, and in so saying, I presume then the member's recommendation would be that we also listen to the employers and their experience under the code.

I have said to many, and I'll say it again tonight, that I do not anticipate making changes to the Labour Relations Code for two or three years. There are two main reasons for my position on that. One, I think we need to have the experience of playing under those rules, actual experience, before we can tell whether the rules are, in fact, arbitrarily swaying the outcome of the game in one direction or another. Secondly, the time frame I have suggested for very carefully monitoring our experience and the people's experience with this code, with these rules of the game, is that the collective agreement bargaining cycle is roughly, on the average, two or three years. So I think we should go through an entire cycle of collective bargaining before we are able to truly assess whether these rules of the game are

working.

There were a couple of particular areas mentioned, one of them being vote 1.0.2, in which there was a 52 percent increase. The reason is that the Labour Relations Code and the Employment Standards Code both put much more emphasis on communication, on information, on dialogue between various parties. It is to accommodate that increased demand on the department as a whole that some additional funds have been allocated and, in that particular case, allocated to vote 1.0.2.

Other particular areas of labour relations were mentioned. One was the nurses' situation generally. As I've said many times before, I do see the nurses' desire, the goal they would like to achieve, as one of being a full partner in the delivery of health care in this province. I think that's what they're striving toward, and certainly they have the sympathy and will receive the encouragement of this government. It is, however, in many instances a question of what is happening right on the ward. It is a question of what are those day-by-day, hour-by-hour decisions and sharing of authority and responsibility and accountability between the various members of the health services professions that makes the difference, I think, between effective sharing of power or not at all. That is not something that can be accomplished by the stroke of a pen. It depends on the individuals who are working together.

[Mr. Jonson in the Chair]

So in many cases it is not something that we as a government can snap our fingers and accomplish. It is going to have to be accomplished by those who are working side by side. There is, of course, a great responsibility in all of this, too, on the employers, which is to say the hospitals themselves and the management of those hospitals. We would be looking to the hospital boards and senior management of each of the institutions to truly dialogue with their employees, including nurses, to bring about this shared partnership that I think all of us would like to see occur.

Many questions were raised regarding initiatives for nurses. I could refer the member to the Minister of Health when her estimates are up. Those questions might be raised again. Certainly the Hyndman commission came out with an interim report regarding nurses. Many exciting initiatives were put out last December in response to that by the Minister of Advanced Education and the Minister of Health, and I would refer the member to those.

Some reference was made to privatization, and I take it that the member who raised that is an expert. I've heard he's an expert in that particular field from experience with the city of Edmonton, and if his recommendation is that we look at what has happened there to know how not to do it, then perhaps we could take that as a role model. But from the number of complaints I've heard in this city of people who were affected, and not affected for the better, I think perhaps I might use it as a model of how not to do it.

The question of fire departments and fire captains was raised. I can advise that I was speaking at the annual conference of the fire chiefs and I indicated to them, and would indicate to all fire departments, that if they wish to speak to me on that issue, I'd be more than happy to hear the representations. I would expect to hear representations on all sides of that issue as well.

Complaints under the Labour Relations Code. The question has been raised: what can we do to protect people from retalia-

tion for their participation in a perfectly legitimate process? It's an excellent question, and it's one that's being raised in a number of areas. It's sometimes referred to as protection against whistle-blowing. In fact, in the Labour Relations Code we do have that protection. There is a section in the Act which prevents any retaliation against those who have legitimately participated in that process, and the Labour Relations Board is very quick to enforce that section. I might encourage the member to pass that information along to his constituent, and if there's anything we can do to help him in that specific instance, please refer him to my office, and we would be more than happy to help.

There was a question raised also about the Labour Relations Board's ability to determine bargaining units. I think the two examples it was at least thought to apply to were IBEW and CUPE. I can advise the member that, yes, the board does have the authority to determine such things as the appropriateness of a bargaining unit. Those things are included in the code for just and valid reasons, and I would be more than pleased to speak to him at greater length if he would wish me to do so.

I'm not sure, but I think the sun has set. But we'll carry on here as quickly as we can. Under employment standards many comments were raised, and justly so, because it's a very important area of the department. It does affect, as someone did say, all workers who are not represented by unions, and it is a very critically important piece of legislation to most Albertans. It is a new code, and it has introduced some new provisions which I think will make it certainly a better world for workers. One that was mentioned is the provision for a deemed trust to be set up to protect wages for employees, but it is only in the case of a company going bankrupt, the employer going bankrupt. It is a protection against the assets, but it's crystallized before other creditors can get their hands on whatever might be left after or during the bankruptcy.

The employment standards branch is truly a service branch. It does save workers from having to use the court system. What it really does is give workers who have found themselves claiming overtime -- perhaps it hasn't been paid -- or back wages or other working condition complaints their very own advocate. They do not even have to pay for that advocate. They can come into our branch, and they are given expertise that is there solely for their own benefit. I think that's a remarkable service this government provides for Albertans.

The number of claims in a year is quite high. The statistics that were asked for this evening -- let me give you this one, and I think it gives you a sense of the bulk of them: 70 percent of claims are settled within 90 days. That's almost three-quarters of the number of claims that are settled within three months. I think, given the nature of the claims, that's a remarkable record. On the other hand, of course, there will always be claims that go longer. Claims are not all of the same sort. The complexity of what is being claimed can vary from the simple to the exceedingly complicated. The length of time to settlement can also depend upon the co-operation or lack of it from an employer. There are many factors that will impinge on the length of time it takes from the day the claim comes in the door to the day it is settled.

Nevertheless, with all of what I have just said -- and I think in all circumstances a remarkable record for this branch -- we are looking at the branch very seriously. In fact, we are streamlining this branch. We recognize its importance to the people of Alberta, and we think we can do it even better than we are doing it today. Insofar as we are doing that streamlining and looking

at improving the service even more than the remarkable record we have achieved so far, I do think that perhaps the statistics that have been requested would not be so meaningful. They will be old hat. So in a few months, a year perhaps, we would have statistics that are meaningful, relevant, contemporary, and at that time I would be more than willing to share them with the member as he has asked. We have, of course, added personnel, and that has meant more dollars. That, I think, refers to vote 2, and that question was raised.

The question was raised about protecting workers from working on the Sabbath. Our government's position is that we have not and are not now considering moving in that direction. Although I certainly am aware of many people in my own constituency who have personally found it difficult, I have spoken with other people in my constituency and they have found ways to accommodate their own choices, their own religious practices. They have managed to find employment and make other arrangements in their lives, which indeed does give them the full range of choices they wish to pursue.

The last thing I'll say about the Employment Standards Act is that it does set minimum standards. That is all it does. It sets minimum standards. There's no ceiling; there's only a floor. So employers in Alberta can in fact give better benefits than those that are required by the Employment Standards Act. I think that if you go around Alberta, you'll find there are many, many employers who in fact have put together benefit packages that are far in excess of the Employment Standards Code. But I will say this about benefits for employees that are being asked for now. I think employers today -- and I alluded to this in my opening comments -- are facing and will face even more a great challenge. That challenge is how to attract but then more importantly how to keep workers. They are truly in a seller's market. The employer is truly in a worker's market. In order to succeed in that competition for workers, employers as an economic imperative are going to have to respond to the kinds of benefits people in Alberta today want. Many of the benefits were mentioned by the Member for Edmonton-Calder.

Regarding prevention in the general safety services area and education, I can say that prevention is what our staff focuses on most. I suppose when you are involved in administering the Fire Code, you know that those provisions are there for safety. They are to prevent accidents. They are to prevent disasters. Even so, when you go out and see the terrible consequences of a disaster after it has happened, you can understand that our people in this department are probably more wedded to prevention and the desire to prevent than most of us who might not be so directly involved. They do see prevention as the whole point of the branch's existence. Consequently, there's much education. Most of us would be familiar, as an example, with the fire prevention education that goes on in our schools, and much of that occurs all across the province. There was a reference to delivery of services through municipalities, and the point was very rightly made that some municipalities can afford to take that delegated authority and others cannot. I will only mention that those municipalities that cannot afford to deliver services are not required to. The department itself directly delivers the services in those areas where the municipalities themselves are unable to do so.

Uniform general safety legislation. It's on the drawing boards. We're going through the preliminary discussion with members from Alberta, members of the public and members most particularly directly affected. There will be a great deal

more consultation before that piece of legislation comes to the House, but I can assure you that we are working very hard on bringing that uniform legislation together. However, we are aware that we are dealing in a very technical area. It is affecting some considerable number of our skilled workers in Alberta, and as is always the case, you have to talk to the skilled workers who are in the field in order to determine whether this is going to work. They're the ones who know best. That is going to take some considerable amount of time but is well worth it.

I thank the hon. member for her comments and encouragement regarding the Human Rights Commission and am pleased that the new Chair was here to hear her commendation. Thank you on his behalf. The minimum budget increase: I agree, but that's for me to advocate in another budget year, and I certainly will be eager to follow up on that. I might say that with the Human Rights Commission, you haven't seen anything yet. This is going to be a proactive, high-profile, and helping commission, and its mission will be to increase tolerance and understanding, to raise the awareness of Albertans. We must all live together with mutual respect. That is our objective.

Personnel administration office. The member referred to the International Labour Organisation, ILO, and their comment on the right to strike. I was listening. I may not have listened carefully enough, but I didn't think I caught their other comments when they had a fact-finding mission here in Alberta, which were that although there is no right to strike in our legislation, that is balanced off by compulsory arbitration. That is a perfectly fair process, and therefore our civil servants are not disadvantaged. I will say, though, that in drawing analogies between private-sector and government-sector delivery of services, we can't leap to the same conclusion without taking some careful thought about it. The government by and large delivers essential services. The government also by and large delivers services that no one else delivers. We do not compete. We're not in a competitive market. We deliver a service that you cannot get from anyone else. Consequently, there is no alternative to our service. If that service is withdrawn, which is what we are talking about when our civil service withdraws on strike or work stoppages, then the person who suffers is our client. The everyday living Albertan is the person who is hurt most. So we must at all times remember the fairness to Albertans at large, some of whom -- as those, for example, receiving social service allowances -- are dependent upon those services for their very bread and butter.

Dialogue with the Alberta union of public employees. That has been an ongoing process between our public service commissioner and the president of the union. I am pleased to say also that I have met with the president twice and intend to meet regularly with her. That dialogue, I can assure the Assembly, will continue.

There was a reference to an increase of wages and an example given of the senior management wages being increased and what impact that has on those who are at the entry levels or the lower paying jobs. I do want to mention this one thing, and that is our administrative support review. We are now reviewing the 13 classifications which fall into that broad category "administrative support." They are, by and large, the clerical jobs and others at the lower end of the wage scales. Our intention is to bring those into five classes only, which will increase mobility through the service and also will have a positive impact on those who are at the bottom of the scales.

Sections 25 and 20. I wouldn't want, of course, to get into

giving a legal opinion here. The points raised were very interesting. I would point out, however, that section 25 is a section that refers to disciplinary action. Now, disciplinary action is not termination of employment. It is only one sample of that. Section 20, in fact, makes the distinction by way of the use of the word "released."

The third comment I would make is that in fact employment is largely a matter of common law, and common law prevails except where codified or overtaken by statute. Consequently the whole of the common law regarding employment would apply to our service. We do of course have a master agreement, which applies to virtually all our civil servants. We have developed policies flowing from that. We have, in my view, having read the master agreement and seen some of the policies and continuing to see others, I think in all fairness, set up proceedings that treat our employees with the fairness they deserve.

There were two or three other small particulars. The increase in vote 1.0.6, the 131 percent. I looked at the numbers, and I'm sure the members here did too. We are after all talking about \$30,000. It was \$22,000; it is now \$52,000. If you want me to spend a great deal of time on \$30,000, I certainly could, but I would point out that again it has been allocated to communications and support staff. I'll say no more.

The increase for the Labour Relations Board of approximately a quarter of a million, with a 40 percent increase in people, is a significant increase, and I'm pleased to see it. The Labour Relations Board, as I said earlier, is the referee, an exceedingly important player in labour relations in this province. The resources they need, particularly with the new responsibilities given them in the code -- I'm more than happy to recommend that increase to this Assembly.

Finally, some reference was made to annual reports. Of course, as soon as that is available, I will be giving it to the member, and many of his questions may indeed be answered in detail in that annual report. I'd be more than happy, however, to receive other questions from the member if that does not cover the areas he would like to see.

MR. DEPUTY CHAIRMAN: Are you ready for the question?

SOME HON. MEMBERS: Question.

MR. DEPUTY CHAIRMAN: Proceeding with the . . . The Member for Calgary-McCall.

MR. NELSON: Thank you. Mr. Chairman, just very briefly again . . .

MR. DECORE: Mr. Chairman, she didn't answer my question on the Family Day issue.

MR. NELSON: On a point of order, Mr. Chairman. I've been recognized.

MR. DEPUTY CHAIRMAN: Order please, hon. Member for Edmonton-Glengarry.

The Member for Calgary-McCall.

MR. NELSON: Mr. Chairman, I just want to pursue for one moment the issue regarding the item that I brought up a few moments ago. I want to know if the minister is going to have any active pursuit in allowing for the democratic process to take

place with regards to the people who wish to identify themselves in a bargaining unit and identify the bargaining unit they wish to participate in rather than have the Labour Relations Board, who think they're the mother and father to a lot of people, which they're not -- allow these people to go to the bargaining unit of their choice. They are certainly intelligent, well-meaning people who have certain desires to do certain things which we have hopefully not taken away from them.

I would like to ask the minister if she would take it upon herself, even through further discussions with myself privately if otherwise necessary, to assist in creating a circumstance, again, where these people wishing to join a particular bargaining unit may have the ability to do so without being told by some mother-and-father atmosphere of a Labour Relations Board, who think they know better than anybody else -- allow them to participate in that particular bargaining unit.

MS McCOY: On that point, the democratic tradition, which is embodied in the union movement as much as it is embodied in our country and traditions, is not at risk by the Labour Relations Board. I did say that the Labour Relations Board is a referee, and that referee is given the task of making decisions that are fair and just in the particular circumstances. I have no doubt that the people to whom the member refers are well-thinking, well-meaning people. I do not know the circumstances of this particular case, and I certainly would encourage the member to bring them forward to me so that we can debate that question not in a vacuum. Let's get the facts as to what truly happened, what was the basis of the decision of the board, and then perhaps we can have a dialogue on that point.

MR. DECORE: Mr. Chairman, the minister, first of all, should be informed that with respect to custodial workers, my question related simply and focused only on those custodial workers who are rumoured to have been laid off. I would make note for the minister that no custodial worker in the city of Edmonton was ever laid off. My question again: I hope she can answer it, and if she can't, will she give me her undertaking to look into the matter to see if, in fact, custodial workers were laid off and lesser paid employees were substituted for those jobs?

It's clear from her answer, Mr. Chairman, that the minister contemplates no change in labour legislation, employment standards legislation, to protect people who are forced to work on their Sabbath day. That is now clear, as I understood her answer. She didn't answer the second matter, and that was whether she will bring forward the necessary change to legislation so as to have people enjoy this contemplated Family Day with their families; in other words, they won't be forced to work on that day in some mall. Will she answer that?

MS McCOY: Mr. Chairman, regarding the custodial workers, I would be more than happy to look into those circumstances. However, I only wish that it was my role this evening to ask questions of other members; for example, the practice of hiring young women as part-time employees and refusing to fill full-time positions at swimming pools in this city, or indeed what is happening with the street maintenance services in this city, which, as I understand it, were privatized.

Regarding the Alberta Family Day, the Premier has, I believe, answered that question fully. I can only say that our position is the same on that point, and it is covered by my more general comments. We are not contemplating a change to the

legislation at this time.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Kingsway.

MR. McEACHERN: Thank you, Mr. Chairman. I've been listening to quite a lot of the debate tonight, and I think there is a point I would like to add from the perspective of the critic for Economic Development and Trade. It seems to me, Madam Minister, that the orientation of Bills 21 and 22, which is the legislation you work with, is not geared to the protection of workers as it should be, which is basically what one would expect labour legislation to be. Rather it's oriented toward making it so that companies in this North American continent, shall I say, can compete in the international world. This globalization policy that seems to be in place now, the takeovers and in effect the cannibalization of one company by another company until only a few major companies exist in almost all the industries, is the direction in which we seem to be heading.

The way I see it, the legislation in Bills 21 and 22 is making it so that it will be easier for that kind of competition to take place. So rather than building a world in which we share the wealth from the enhanced production we are able to produce now with all the new technologies we have, we are in fact shrinking the number of people that can get involved in purchasing the products those companies could so easily produce, because we are refusing to pay the workers a decent wage. We are, in fact, anticipating competition in terms of wages with countries like Mexico, the Maquiladoras strip being a case in point. We have companies in North America that are already shutting down their plants in Canada. In parts of the United States some 12 car manufacturing plants have been shut down, and 11 have sprung up in the Maquiladoras strip, where they can get workers at 65 cents an hour.

The way I see Bills 21 and 22, they are facilitating that process. I think the minister needs to take another really serious look at those Bills and stop and think about whether or not we should be protecting workers so they have a decent wage, so they have some security of tenure, so they have some pensions, so they have some benefits, so they have sick leave, so they have some of the things we talked about earlier -- equality of wages for women, maternity leave -- rather than, in effect, throwing workers to the whims of the competitive international and multinational corporations.

I think you have a lot bigger task than you realize if you think you're going to get by with a few nice comments about seeing to it that women get pay equity and a few other things, not that that isn't an extremely important idea, and that they get maternity leave and so on. But Bills 21 and 22 reflect an attitude that really does in the working people of this society. In the last five to 10 years we have already moved large numbers of people in this country from being middle-income earners with a certain amount of security, a reasonable wage, a certain amount of benefits, down into what we call the working poor. It's facilitated with contracting-out policies for one thing, which this government does quite a lot of: laying people off, hiring them back on contract so you don't have to pay them any benefits, so you can pay them a lower wage. We're pushing more and more people down into being the working poor, who cannot share in the benefits of the incredible amount of production we are now capable of producing with all our increased technologies.

So I think the minister should really take another look at Bills 21 and 22. They were ill conceived, and they point us in the wrong direction to building a just and fair society for the workers of this province.

MR. DEPUTY CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Question.

Agreed to:

1.0.1 -- Minister's Office	\$222,500
1.0.2 -- Executive Management	\$654,640
1.0.3 -- Personnel	\$276,920
1.0.4 -- Finance and Administration	\$699,929
1.0.5 -- Systems	\$1,587,332
1.0.6 -- Communications	\$105,781
1.0.7 -- Planning and Research	\$600,302
1.0.8 -- Library Services	\$284,211
Total Vote 1 -- Departmental Support Services	\$4,431,615
Total Vote 2 -- Labour Relations	\$6,202,371
Total Vote 3 -- General Safety Services	\$14,668,410
Total Vote 4 -- Labour Relations Adjudication and Regulation	\$1,572,990
Total Vote 5 -- Individual's Rights Protection	\$1,164,834
Total Vote 6 -- Personnel Administration	\$9,896,068
Department Total	\$37,936,288

MS McCOY: Mr. Chairman, I move that the vote be reported.

[Motion carried]

MR. GOGO: Mr. Chairman, I move that the committee rise, report progress, and beg leave to sit again.

[Motion carried]

[Mr. Deputy Speaker in the Chair]

MR. JONSON: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 1990, for the department and purposes indicated.

Labour: \$4,431,615, Departmental Support Services; \$6,202,371, Labour Relations; \$14,668,410, General Safety Services; \$1,572,990, Labour Relations Adjudication and Regulation; \$1,164,834, Individual's Rights Protection; \$9,896,068, Personnel Administration.

MR. DEPUTY SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: Opposed? Carried.

MR. GOGO: Mr. Speaker, it's the intention of the government tomorrow to call forward into Committee of Supply the Department of Recreation and Parks.

[At 10:21 p.m. the House adjourned to Friday at 10 a.m.]

