

Legislative Assembly of Alberta

Title: **Tuesday, April 30, 1991**

8:00 p.m.

Date: 91/04/30

head: **Committee of Supply**

[Mr. Schumacher in the Chair]

MR. CHAIRMAN: Order please. There being a quorum present, the Committee of Supply will come to order for the consideration of the estimates of the Department of Labour. These estimates commence at page 231 of the main book with the elements being found commencing at page 95 of the elements book.

Before we enter into the estimates, might we have unanimous consent to revert to Introduction of Special Guests?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Opposed? Carried.

The hon. minister – Member for Edmonton-Mill Woods.

head: **Introduction of Special Guests**

MR. GIBEAULT: I liked "minister" better, Mr. Chairman.

I'm very pleased to introduce to you and the other members of the committee the members of the Knottwood 186th Cubs group. They're in the public gallery with us this evening to observe the parliamentary process in the debates tonight. They're accompanied by their leaders Mr. John Granger and Mr. Robert Wiley as well as parents Mr. James Parsons and Mr. James Parslow. I'd ask them now to stand and receive the very warm welcome of the members.

head: **Committee of Supply**
(continued)

head: **Main Estimates 1991-92**

Labour

MR. CHAIRMAN: The Chair would now invite the Minister of Labour to introduce the estimates for her department. [some applause]

MS McCOY: Thank you, members, and thank you, Mr. Chairman. I do appreciate having the chance to make some opening remarks. They say that the shortest distance between two points is never found in a speech about estimates, but I'll see what I can do to put the lie to that old adage this evening.

I want to start by welcoming members who are in the gallery from the Department of Labour and from my office and who will be joined by members of the personnel administration office. I particularly want to thank them for all their assistance in preparing this budget and for their dedicated and hard work each and every day, and I particularly also want to thank all of the employees in both the department and PAO for their work in serving the people of Alberta throughout the year. They truly are a fine group of women and men.

Last year I was fortunate to be able to present my estimates on May 1, a day which is celebrated by workers throughout the world as international labour day. This year I'm almost as fortunate. I get to present the estimates on April 30, which is international labour day eve, and if my fellow members of the House are kind to me, we will keep all of our remarks confined to labour day eve.

It is an appropriate time to reflect on the meaning of work in our lives. William Faulkner once wrote, "You can't eat eight hours a day, nor drink for eight hours a day nor [even] make love for eight hours" a day; about all you "can do for eight hours a day . . . is work." He then went on to say that that's why so many people are unhappy and miserable, but I disagree. I don't believe that work makes people unhappy. Sure, most of us do have to work to earn money to buy the things that we need to live, but there is more to work than that. We work not only to produce, not only to make money, but also to give value to time and meaning to life. That's why Albertans care about the nature of the work they do and the quality of their working lives, and that is why my department exists. My department is an advocate for all who labour, whether they are employers or employees. My department is here to help all Albertans, union and nonunion, employer and employee, to make the most of their working lives. We're not here to dictate or to interfere or to play favourites. Our role is not to help one side exercise power at the expense of another. My department exists to help employers and employees develop relationships which are of mutual benefit.

In the past the world has viewed the employer/employee relationship as one in which one side always wins and the other side always loses, in which employers and employees are thought of as players on opposing teams, but that's a nonsensical view in 1991, and it will stifle our ability to compete in the emerging global marketplace if it is allowed to poison our attitudes toward each other. The province in which employers and employees are at odds with one another is as unhealthy as a body whose parts are at war with one another. Imagine how sick a body would be if its heart suddenly said to all the other organs, "Hey, I don't care if you want your fair share of oxygen and blood; I'm going to keep it all to myself." Well, now, what would happen? The next thing you'd get is the stomach threatening to cut off all the food. And the bladder? The bladder would be vowing to cause public embarrassment. And the brain? The brain would soon be threatening to shut down the entire operation in an effort to get the heart to pump. Well, such a body may survive, but it would be awfully tense in there, and it wouldn't be as healthy as it could be if all of the parts accepted their interdependency and willingly helped each other.

Well, employers and employees are interdependent, and my department has in the past year dedicated itself to the promotion of that view. My mandate is clear and simple: we are here to enhance the equality of the employee/employer relationships and the quality of working life in the province of Alberta. We are here to assist working Alberta make the transition to the 21st century, and we do have a base, a very good base, from which to work. Roughly 95 percent of all of the collective agreements in Alberta are reached without strike and without lockout. There are many, many examples of unions and managers and employers and employees working together in exciting and innovative partnerships.

A lesser known law of Murphy's warns that if everything appears to be going well, you've obviously overlooked something, and it is a warning that I take to heart. We have much more work to do, and we do need to improve. We will get better by working with Albertans as partners. We are a department that is not in authority over but in service to the working women and men of Alberta, and I think this will become quite clear as I run through the highlights of the six votes that are before us tonight.

You will notice a change in the titles and in the content of some of the votes, and that reflects the recent reorganization of the Labour department. We have changed the way that we do

business because we need to be more active in seeking out and responding to the real needs of working women and men. We need to be more relevant. We will do that by facilitating the development of better, stronger partnerships among the many players in the work world. We will not be a defensive department that clings to the status quo; we will continually seek improvement, and we will be catalysts for positive change as we approach the next century.

Votes 1 through 5 relate specifically to the Department of Labour. We are looking for a \$1.05 million, or 3.6 percent, increase in spending over last year. The increase comes at a time of fiscal restraint, when many other departments are coping with decreases, and it reflects this government's commitment to working Albertans. Salaries and wages account for some of the increase. The rest is accounted for by an increase in dollars for the Labour Relations Board and the Alberta Human Rights Commission. These are priority areas for my department and for our government.

In vote 1 members are being asked to approve a 4.6 percent increase for Departmental Support Services. It covers wage increases and also the internal reorganization and the dollars that follow that. As you can see, vote 1 now includes an Issues Management Group, and over time it will become the heart of the Labour department: a co-operative, interdependent, and sharing heart. Through education, information, research, discussion, community outreach, the group will keep abreast of the evolving needs of working Albertans and help to build bridges of understanding between labour and management and employers and employees.

8:10

Now, towards that end I have launched the future of work project. It's a process, really, for in-depth consultation with women and men from all parts of the work world. We have set up discussion groups, which I have called future forums, throughout the province. At each table we have from eight to 10 men, women, store owners, farmers, bankers, union organizers, shop stewards, community workers, natives, CEOs, lawyers, and others: people, as you can tell, who are coming from different backgrounds now talking face-to-face about how Albertans can work together to improve the quality of working life in this province. One of the groups consists exclusively of people from the construction industry. It's called CIMAC, which stands for Construction Industry Ministerial Advisory Committee, and so far it has identified several long-term issues that must be jointly dealt with by contractors, owners, unions, and employees over the next 10 to 20 years: issues like safety, training, recruitment, need for quality products and services.

Vote 2 calls for expenditures of about \$4.1 million in Work and Safety Standards. We want to increase the resources devoted to the development of standards in both work and in safety. I want to make a few brief remarks on each area. First, safety: we seek approval of a 4 percent increase in this area. As you know, we are nearing completion of the preparation of the new safety codes Act, which provides, among other things, for the establishment of a new Safety Council system. I particularly want to thank Ty Lund, who is the MLA for Rocky Mountain House, for his extensive and effective help in bringing this together. All of our safety partners in industry, unions, municipalities, and educational institutions will be joint decision-makers in setting and enforcing safety standards. Our goal is to develop a better, more comprehensive safety system for Albertans, one that can cope with the technologies and demands of the 1990s and beyond.

Secondly, Work Standards. Members are asked to approve a 15.9 percent increase in this area. The additional funding here will create a whole new function devoted exclusively to the development and maintenance of work standards. It will enable my department to engage in widespread consultation with employers and employees. We're going to start working much more closely with Albertans in developing and maintaining standards that are workable, relevant, and beneficial to all partners in the workplace. The world of work is changing in terms of technology and people and global economics, and as a result, we need to re-examine our thinking on workplace standards and we need to respond to changing needs and conditions.

In vote 3 we are looking at expenditures of some \$18 million for Work and Safety Client Services, a new division that includes mediation services along with our new regional offices and the provincial Fire Commissioner. We have just established four new regional director positions. The purposes of these positions are twofold: first, to provide one-stop access to the department and, second, to have a person in each region who is responsive to the changing and local needs. The emphasis in our regional offices will be on fast, courteous, and quality service to Albertans. I know our mediators will continue their excellent work in helping Albertans resolve difficult negotiations, and they will also continue to facilitate unions and management in their efforts to develop more harmonious year-round relationships. Last year my department opened a storefront employment standards office in Edmonton and installed a telephone line that offers taped information 24 hours a day, seven days a week. We plan to begin offering similar street-level services in Calgary later this year.

Vote 4 calls for a 16.8 percent increase for the Labour Relations Board, a key component in our collective bargaining system. The LRB consists of equal representation from labour and management, and I'm pleased to say that in the past year its gender balance was markedly improved by the appointment of five new women members. The LRB's role is to be an impartial, fair adjudicator of disputes and interpreter of the Labour Relations Code. The increased dollars will help and in fact enable the LRB to provide even more timely service, which of course is essential, absolutely essential, to collective bargaining.

The LRB is also an important gauge as to the effectiveness and workability of our labour law, and I want to say just a few words here about that law. The labour law provides the framework for labour relations, and I want the law to be as fair as possible to all the players in the workplace regardless of economic conditions. I am closely monitoring the experience of unions and management with our new labour code with a view to making any needed adjustments once the code has been through a complete round of bargaining, which has not occurred yet.

I do want to take this occasion to commend the unions and the management and also the labour lawyers for their forthright and honest input that they've been giving me in the last two years since becoming Labour minister. Alberta should be proud of the fine women and men in our labour relations community. They are terrific to work with, and the past two years have been among the most rewarding and interesting of my life.

Vote 5 brings us to the Alberta Human Rights Commission and the administration of the Individual's Rights Protection Act. The 18.5 percent increase here reflects the heightened activity level of the commission, particularly the growth in investigations over the past 18 months. Simply put, more Albertans are coming to the commission because they know it is able and

willing to help. I will want to commend Fil Fraser and all of the commissioners and their staff for their continued excellent work. Over the past year they have dealt effectively with a number of major issues; for example, sexual harassment. The commission's hard work led to a precedent-setting award in a sexual harassment case. As well, the commission jointly with the Women's Secretariat held a one-day symposium on the subject for Alberta educators. It produced and is now distributing a powerful poster that draws the line on sexual harassment.

The commission is one of the most important tools we have for fostering an equitable workplace in the province. Our society is becoming more diverse. The recent report, for example, of the Economic Council of Canada points out that one in 10 Canadians will be of non-European origin by the year 2015. Already Alberta is a kaleidoscope of different religions, races, abilities, backgrounds, and cultures. The challenge facing us in the 1990s is to continue fostering a society in which everyone is allowed to participate on an equal footing. We must continue to develop a society in which everybody is in: nobody is shut out for being different.

Now let me turn to vote 6, covering the personnel administration office. PAO, as we know it, is the central agency for developing and maintaining the quality of our public service. It provides policy advice to government. It offers expert consultation to departments on human resource management functions like recruitment, evaluation, occupational health, training, and labour relations. Once again, I commend Alberta's public service on the fine work it is doing on behalf of all Albertans. An effective public service must have women and men who are passionate, professional, and committed to the work they do. We in Alberta do have such a public service. Our public service must operate in a challenging environment. Fiscal restraint, changing public expectations: all of these mean we must continually refocus and restructure programs and services to become more efficient and relevant to the real needs and concerns of Albertans.

In doing so, of course, some positions will be abolished and others, new ones, will be created. In the case of abolishments our government is committed to assisting affected employees to find new employment. Employees are given first call on comparable vacant positions elsewhere in government as well as severance pay if they are finally released and also training when appropriate. To further assist employees, our government and the Alberta union of public employees, known as AUPE, have jointly developed a voluntary separation agreement. It offers higher severance pay and is another option for our employees, particularly those with highly specialized backgrounds who may have fewer job opportunities immediately available. The new agreement is one example of what union and management can accomplish when they work together.

8:20

Another example of joint action by government and AUPE is the balancing work and family survey. More than 18,000 public employees responded to our jointly developed questionnaire, and I look forward to assessing the results. Our goal there is to help our provincial employees balance work and family responsibilities. The survey is one of several employment equity initiatives by PAO. Others include the accelerated management training program to help prepare women for senior administrative positions. Another is the popular mentoring program introduced last year. Nineteen senior management women were matched with 19 executive managers all across government. I'm

getting excellent feedback on the program, and we offer it again this year.

Another new PAO program is called Alberta interchange. We recently formed an advisory committee of senior executives from the private sector and also deputy ministers. The committee will help us to improve relationships between the public and private sectors through the temporary exchange of senior executives. It's an innovative, exciting program that will provide top level managers from government and private companies a chance to switch workplaces for a while. The program should encourage the exchange of ideas and enhance understanding between the two sectors.

Well that, Mr. Chairman, is an overview of the estimates of the Department of Labour and the personnel administration office. I've covered many points, and I look forward to listening to the comments of other members of the Assembly.

Thank you.

MR. CHAIRMAN: The hon. Member for Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Chairman. In preparing for tonight's estimates, I went through last year's record of debate, and I went through the record of debate of the year previous to that, and I noticed that in 1989 when the Minister of Labour stood up and kicked off her estimates, she started with a song from Bob Dylan. She talked about *The Times They are a-Changin'*. Tonight she sort of carried on with that theme about the changes in the department and the restructuring of the vote. I went to my comments, and I said in 1989 that I was rather upset that contained in all of those votes before the committee we didn't have sufficient subprogram breakdowns. I said that again in 1990, and here I am in 1991 saying again that we haven't got as much information coming from this department or this minister as we ought to have. Here we have a department that comes before the Assembly requesting almost \$41 million, and it's contained inside six votes, yet we have very little information in terms of actual breakdown into trying to get it into the components of each and every vote. So the minister says *The Times They are a-Changin'*. I guess I'm sort of caught in a bit of a time warp where I feel that not much has changed at all from when the minister took over the department.

Having gone through the elements book and the Government Estimates book, I do have a number of questions that I would like to put to the minister. Some of them I caught in her opening remarks, but especially with respect to my first question on the Issues Management Group . . . I'm sorry; I know that you did speak specifically to the Issues Management Group, but I couldn't catch all of your comments, so I may as well kick off there. I'm wondering: with that increase of 22 percent, is that for an increase in staffing or an increase in committee work where you're going to have to expend extra dollars to accommodate the number of meetings that are going to be taking place with different committees in and around the province? If I could just get some clarification on that. It may very well be in *Hansard* tomorrow and I'll be able to look at it, but if you haven't touched on that topic, I would appreciate that response.

Ironically again, in the first vote we have a drop, albeit minor, less than 1 percent, in the Finance and Administration end of the department. As I said, it's less than 1 percent, but I'm wondering again if, given the Auditor General's report and what happened with the crossing over of payment . . . Although it was a long period of time – five years – \$150,000 went from the management fund to what should have been taken out of the bargaining fund. The Auditor General made comment on that

in his annual report and money should have been repaid to – the bargaining fund?

MS McCOY: Yes.

MR. SIGURDSON: Yes. Has that money been returned? So that's a question I've got.

There is also the change over in the department. You had some computer change, and some \$87,000 went out of both funds this time, management fund and the bargaining fund, instead of coming out of the General Revenue Fund. Again, that money should have been sorted out. So those questions that the Auditor General had in his report, I've got them as well. I know that the likelihood of the Minister of Labour coming before the Public Accounts Committee is not all that great this year I don't believe, so I put those questions to the minister now.

Just moving into vote 2. The other day I asked the minister a question with respect to a matter that I'd been given from the Institute of Power Engineers. Now, subsequent to that – this is given that you've got the responsibility of the Boilers and Pressure Vessels Act – I had a letter from the chairman of the advisory board, and I just wanted the minister to know that I will follow up with those people that provided me with some information initially. The minister was quite right in her response to me, and while her anger was expressed at the time, it was well deserved, I suppose, coming back to me. So I will follow up with that and check out with that institute. I don't want to bring information into the Assembly that, quite frankly, may have been put into my hands for different reasons other than just coming in here to try and find out information. If I'm being used as a political tool, I resent that. If, however, I come in here with political issues, I appreciate them being addressed. So I will follow up with that.

Moving over, though, I do want to ask the minister about the decrease in the grants of 86.3 percent in vote 2, and again, in terms of actual dollars it's not a great drop in funding. It goes from \$58,580 to \$8,000. However, when you've got an 86 percent drop, obviously somebody's not getting a grant this year, and I'm wondering if that money would normally have been expended in a grant program that is now dried up.

We also have an increase, though, of 33.8 percent in Supplies and Services. This is on page 235 in vote 2. And I find it rather amazing that we're going to have that kind of an increase in Supplies and Services when, in fact, the Summary of Manpower Authorization shows a decrease. So why would you have to have an increase of supplies if you've got a decrease in manpower? Is the department, in fact, contracting out a position or two in terms of the services that you're hoping to get from some source? The increase of \$200,000 would certainly indicate to me that that's a substantial amount of money, given that you've got a decrease in the number of people that will be working in the department.

Moving on to vote 3, I found the minister's comments rather interesting. She talked about having a storefront office opening up in Edmonton and the toll-free telephone line available to all Alberta workers and employers to find out what their rights are. Well, I guess I appreciate the fact that we've got the office open. But just the other day we had debate in the Legislative Assembly talking about our foreign trade offices helping Albertans abroad develop economic interest in our province. Yet in all of Alberta, where, believe it or not, the majority of Albertans live, we have fewer offices available to handle their problems than we do in the international marketplace. Now, I wonder just how it is that

the minister hasn't tried to argue for more funds to either get the offices open so that we can have that education, facilitate that kind of dialogue between workers and employers and the department so they can access information, because, quite frankly, I saw here again that they talk about trying to get education on respective rights and responsibilities under the applicable legislation.

8:30

I don't know how many calls other members of the Legislature get about possible violation of an employee's rights. They come to the member of the Legislature to try and access information, to try and have some kind of recourse to an employer, and we refer them to the employment standards branch. They go out and do the investigation, but they don't seem to have that information readily available. They seem to come to us first. So I'm wondering what kind of an education program the department is attempting to carry on at the workplace. I know that we've got pamphlets out there. But where are they? I think perhaps what we ought to be looking at is just how the jobsite information is handed out. Do we have committees? Does the Department of Labour ever go out into off-site locations outside of major urban centres to try and provide information to people that work in camps outside the city to tell them what their rights are? Have we ever had that kind of an outreach program so that people understand what their rights are?

Clearly, I've seen, at least in my opinion, a number of violations that have taken place, and for the most part the employment standards branch is able to remedy to some degree the problem the employee brings to the member's office and then subsequently to the employment standards branch. Wouldn't it be better if the employee knew well in advance what those rights are rather than having to come in after they've been terminated or after they've got some kind of a grievance with their employer? If they were to know beforehand what recourse they might be able to take, things may happen sooner, and the result may be better for the employee.

There's also in that same vote the Safety Standards element. I would just appreciate comment, however brief or detailed it might be, from the minister on the role of the department as it differs from Occupational Health and Safety. I'm sorry that I don't fully understand or comprehend the difference between the Department of Labour and the department of Occupational Health and Safety. Is there an overlap? Is there a protocol that the two departments have where they agree to provide services? I'm just wanting more of an explanation in that area, if I may, please.

Another area they talk about is the "enforcement of statutory work and safety standards through inspection and investigation." Now, again when I've asked questions in the House to ministers about the monitoring of safety programs, I've been sorrily disappointed when some of the ministers have said: "Well, we don't really follow up on the programs. Unless we have a complaint, we don't go out and make sure that we're getting value for the money that we're investing in a particular program." So I want to know from the minister: how often is the department able to go out and have an on-site inspection without announcement? How often does that occur? Can we get some kind of a idea about that?

Moving on to vote 4, the minister again had some interesting comments, talking about a balance between employers and employees, between industry and unions, and painted, I thought, a rather pretty picture. But I'm afraid that it's rather Raphaelean; it's rather round in all the right areas. It's very

pleasant to look at, but from a different perspective I get a very different bit of information coming back from a number of people that are working in the industry, trying to organize the trade union movement. They're trying to organize workers in the workplace. They have a number of what would have a few years ago been deemed violations of the Act, and then we had the unfair labour practice. If you had an unfair labour practice, you could get an automatic certification. It doesn't happen any more. There's no hammer.

I mean, sometimes the threat of having an automatic certification was enough to make somebody back off. That's all you had to worry about. My goodness, if you're an employer and you think, "If I can go out and start trying to influence the way that the vote is going to go," maybe you're going to back off because maybe you're wrong; maybe the vote won't go that way. But without that threat of having an automatic certification, there's nothing, absolutely nothing really there to prevent an unfair labour practice in an organizing drive. So again I must ask the minister: when or, indeed, are we going to have any kind of an amendment to the labour code so that we can include that? It's not a provision that would have to necessarily be used in every organization drive. I know that it wasn't used in every organization drive that went on prior to 1988, but certainly it's a provision that ought to be included in the labour code to make sure that there is not undue influence exercised by the employer during an organization drive.

I want to get into an area with respect to unfair labour practice that the minister has avoided, and that's the area of the Merit Shop memo, the Maxam memo. I have asked on a number of occasions in the Assembly. I've put a motion for a return on the Order Paper asking for documents that the minister has with respect to the Maxam memo. Now, I know that if the minister had received a document that had taken the words "trade union member" out of that letter and put in any ethnic minority; if instead of saying "demote trade unionists," it had said "demote women," the minister, and rightfully so, would have pounced on the individual that wrote that letter. Yet what we've got is a letter that says: support, increase those that are anti-union; demote, discourage those that are pro-union. The minister has failed to respond to me. The minister has failed to respond to those people that are concerned about the labour movement, and I really believe it makes a mockery of the process to say, "Well, I'm going to uphold the labour law, and I'm going to make sure that it works well," and when the minister is provided with documents, the handwritten photocopy – of which, incidentally, I still retain the original if ever you want to start the prosecution, if ever there's enough time. I've also provided the minister with the comments and the considered opinion of a forensic handwriting analyst, and still we haven't had any response other than that I read in the paper once that the case is closed. Well, I'm afraid that that's not good enough, and I very much regret that the minister has failed to respond in that particular area.

8:40

Vote 5, Human Rights Commission. Again, having perused or reflected on previous estimate debates, I saw the minister previously taking some bold steps with respect to inclusion in the Individual's Rights Protection Act the matter of sexual orientation, yet we haven't had that. We've had a case recently of the firing of the chap that worked successfully for a number of years at King's College without ever having any problem. It reminded me of a time when as an executive assistant I had a telephone call from a chap who worked in a nursing home up in the Peace

River country, worked there for a number of years without ever having any problem. Somebody just turned around and said, "Well, you know, this individual is a homosexual." What happened? He was fired from working in the nursing home at a job that he loved and provided a great deal of service to the seniors that were in his care. The same thing happened over here at King's College. An individual was doing a job that he loved, and because of his sexual orientation he was fired.

Now, in a society purportedly as progressive as ours surely to goodness the time has come to take those homophobics out and give them a lesson about reality. How is it fair that you can take people who practise their sexuality differently than perhaps you and I and say that they have no rights under the Individual's Rights Protection Act, no right to job security, no right to accommodation? It's just not fair, and I really wish that the minister would find a way somehow, maybe go back a couple of votes and find that area where you've got education and spend some of that money to make sure that we are still educating some people to bring them on side, bring them up into the 1990s. Let's extend the respect that is so naturally deserved to people that just have a different sexual orientation than, as I said, perhaps you and I. Welcome to the 1990s and hopefully beyond. It's about time we extended that protection to everybody in our society.

I want to deal briefly with vote 6. I know that my colleague from Edmonton-Avonmore and my colleague from Edmonton-Beverly will be commenting in greater detail a little later on in certain areas. I do want to comment on the area in vote 6, PAO. The 50 percent decrease – in reference: 6.0.6, Recruitment/Career Advertising, from \$468,000 down to \$232,000 – is a substantial drop in funds, and I'm just wondering if the minister would like to shed a little bit of light on that drop. Obviously, we were advertising an awful lot before and trying to get people to come into the public service and develop a career right here. Now, I know that through privatization this government has ended a lot of the career programs – paths, I suppose – that a number of dedicated public servants have had and developed over the course of time, but part of the concern that I have here is that there are still a lot of dedicated public employees out there that feel the weight of privatization and feel the weight of job loss in their departments and in their areas. They would like to have that extra body back, and they would like to be able to respond to the concerns that Albertans are bringing forward, whether it's in social services or in hospitals or in the Solicitor General's department at the motor vehicles branch. They would like to have that full staff complement back. Is it really the government's intent to not hire those positions that have gone wanting for some period of time? Is that the reason we've got such a substantial decrease in the area of recruitment and career advertising?

We also in vote 6.0.4, Staff Development and Occupational Health, have a 10 percent, 11 percent decrease in occupational health, and again I would hope that the minister would be able to comment on that. I don't think that given the kinds of programs we're trying to develop in the department of occupational health, indeed in the Department of Career Development and Employment through the apprenticeship programs, that any decrease in occupational health is necessarily a wise move. Anything we can do to promote occupational health and safety is going to in the long run save us an awful lot of money.

Those questions deal pretty much with what I wanted to touch on, but I did want to touch in a more general way on a couple of areas that I hope the department would look at very soon. They've been touched on over the course of a very long period

of time, yet I don't see any action. Perhaps they're philosophical, but I think that this department has the opportunity to go out and maybe spread some of that good philosophical basis around and start developing some new initiatives. I know that perhaps some of these, not all of them, are pets of New Democrats. We're talking about, I think, changes in society and how to recognize some of those changes.

I would hope that the Department of Labour – perhaps it would be the very Department of Labour, for all of the people that work for the department. Maybe you as the Minister of Labour could lead it off in the government and incorporate on-site day care services for the people that work in the Department of Labour. The Minister of Family and Social Services, followed by the Minister of Consumer and Corporate Affairs, followed by the Minister of Tourism, right on down the front bench: maybe they would all turn and look to the progressive move that the Minister of Labour might make by putting on-site day care facilities in the department. Once we have it incorporated into the public sector, then maybe, you know, we might just have some of those folk in the private sector. Indeed, some of the folk in the private sector are leading the way by having on-site day care. Let's give them compliments. Let's also look at the possibility of having parents going down at coffee time. Instead of going outside and having smoke breaks, now that we've got most every place designated as a nonsmoking area, instead of going down and having a cigarette, why not take the 10 or 15 minutes . . .

AN HON. MEMBER: You're talking to a smoker.

MR. SIGURDSON: I know.

Why not take those 10 or 15 minutes and go and grab your child and get into that bonding? That's not just for women; that's for men as well. Maybe we should be doing that over lunch hours and coffee breaks and getting those programs.

I know that there's a number of folk in the Progressive Conservative caucus that cringe at the thought, but I'd also like to see the development of equal pay for work of equal value, making sure that we have that implemented not only just in the public sector but in the private sector as well. There is no reason, and this government awards a lot of contracts in its \$12 billion budget, no reason at all that you can't say: "Well, this is what we're going to have. We're going to have equal pay for work of equal value." I've heard some of the folk in the back bench say: "Well, jeez, you can't compare apples and oranges. You can't compare jobs." You know, we do compare apples and oranges. We know what the nutritional value and the caloric content of an apple is and of what an orange is, and we do compare them. We make choices. Well, the same thing can be done when we look at equal pay for work of equal value.

Another area: prorated benefits for part-time workers.

AN HON. MEMBER: We've got it.

MR. SIGURDSON: You've got it. Not everywhere. I'm sorry; I know a number of people who are working out in the private sector that don't have any benefits, no benefits at all. Why? Because they're part-time employees. I think it's about time those people that are giving their labour for remuneration also ought to receive the benefit that goes along with those people that work at the company full-time. We've got a condition going on in Calgary with the Molson brewery workers and Molson's. Why is it that Molson wants to hire summer students instead of having their temporary work force called back at peak season?

It's because they don't have to pay the benefits to the summer temps if they hire from a different pool. So we haven't got prorated benefits for part-time workers throughout the industry.

As I said, Mr. Chairman, a number of my colleagues want to get into this debate tonight, so with that, those are my comments. Thank you.

8:50

MR. CHAIRMAN: The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Chairman. I'm pleased on behalf of the Liberal caucus to raise a few questions with respect to the Department of Labour. I, too, would like to echo the opening comments of the Member for Edmonton-Belmont. Last year I recall saying that there's a real dearth of information in terms of what is available in terms of a breakdown.

MRS. MIROSH: Speak into your mike.

MR. BRUSEKER: You're telling me I don't speak loudly enough?

MRS. MIROSH: Right. I even speak louder than you do.

MR. BRUSEKER: That's the first time that's ever happened.

There are a lot of programs going on that the minister referred to that aren't listed here in the departmental breakdown, either in the elements book or in the main book. In fact, the main book itself is really lacking a lot of information. It sure would be nice to see a lot more information than what is being provided. So I hope that next year the minister will see to it that that does in fact take place, because it's very difficult to look at what is in here and really understand what is attempting to be relayed in terms of detail.

Having said that, I'd like to move to vote 1. There are a number of curious things. The minister mentioned that in vote 1 we're looking overall at a 4.6 percent increase, but the largest percentage increase is in the minister herself's office, a 7.4 percent increase. I wonder if the minister might detail precisely what that is. It's not a lot of money in terms of dollars, but it is a substantial percentage increase, and one questions why that would be the case.

Systems has decreased 16.6 percent. Again, I'm not sure whether that is a purchase of a fixed asset. That is in part referred to in the main elements book; there's some reference made there to a decrease from \$327,000 down to \$185,000. I'm wondering why we're seeing a decrease in that particular area. Again, a certain amount of ambiguity that we'd like to have cleared up.

Moving along to vote 2, again a real dearth of information as to what's going on in there. The biggest increase, not dollarwise but certainly percentagewise, is in Divisional Support, a 14 and a half percent increase. Yet Safety Standards, which I think quite frankly should be almost the paramount goal or paramount direction or paramount activity, has a very modest increase of only 4 percent. I'm wondering what the rationale is behind a large increase in Divisional Support services. Work Standards has a 16 percent increase, yet on the other hand Safety Standards has a 4 percent increase.

Now, the minister did make reference to new work standards being developed. I would like a little more detail. Are new work standards being developed in particular trade areas or in particular areas of expertise? She did mention that there were

new standards being developed, but I would like a little bit more clarification as to what is happening in that particular area.

Just going back to Divisional Support, I wonder if the minister could detail a little bit what Divisional Support really means. The total expenditure is near \$200,000, and I'm wondering what the \$200,000 is going to be put towards.

An increase in Work Standards was mentioned. I'm wondering if this is going to mean not just the development of standards. Is that money going towards the adding of staff; is it increased inspections, increased enforcement of standards, monitoring of standards? What's going on there?

I have raised a concern with respect to Safety Standards over the last little while. Under vote 2 we see a number of pieces of legislation being cited as authority for the establishment of the program. I have raised the question before with respect to the elevators and conveyances Act and the decreasing number of inspections over the last few years now. Depending upon which year you take, you can either show an increase or a decrease, but I think if the minister looks at the overall trend over the last few years, there are a couple of anomalies. There's one year that's very, very low with, I think, only four accidents occurring, but generally speaking we've seen an increase in the number of accidents, with a couple of exceptions admittedly but generally speaking an increase. Conversely, generally speaking we've seen a decrease in the number of inspections of elevators occurring despite the fact that there are more elevators in operation, despite the fact that there are more elevating devices in operation, such as things like roller coasters, escalators, and so forth. So I'm wondering if this really reflects the direction on behalf of the minister to the department to reduce inspections and therefore, I think, reducing safety standards. I would like the minister to address that because it's a big concern.

While I'm on that particular topic, in vote 2 there are, as I mentioned before, a number of pieces of legislation – I think the total is 11 or 12 – that are referred to as the justification for this vote 2. I guess my concern there is that the minister has mentioned earlier on, referring to the Member for Rocky Mountain House, that a new omnibus Bill, the safety codes Act, is going to be introduced into this Legislature. Yet a number of states in the United States have looked at our current legislation, what we've got in force right now, and said, "Gee, that's terrific, what they've got in Alberta." They're looking to emulate what we currently have. So they're saying that the Boilers and Pressure Vessels Act, the Uniform Building Standards Act, the Electrical Protection Act, the Elevator and Fixed Conveyances Act, the Fire Prevention Act are terrific pieces of legislation, yet the minister is proposing to eliminate those with this new omnibus Bill. I'm wondering if the minister could really address the rationale behind eliminating all of these that are under vote 2 and looking to create something new.

Along that line I do want to just digress for a moment and thank the minister for actually sending me the answer to the written question that I had requested, listing on there the members of the implementation committee who had been involved with the minister and her department and the Member for Rocky Mountain House, who were involved in the development of this safety codes Act. I would like to make a suggestion to the minister. When a piece of controversial legislation was introduced by another department, the department of career development in fact, we saw that the minister listened to stakeholders and revised the Bill substantially. I know that some of the people who have been involved in looking at the safety codes Act have in fact expressed concerns, have written to the minister, and those are people I have heard from as well. I will

get a list of those names to the minister so that she knows those people have expressed concerns to me. I'm hoping that the minister will at least address their concerns and consider making amendments to the safety codes Act, because I know that there are a number of concerns.

Moving along to vote 3, we see Work and Safety Client Services. This is dealing with a variety of different things. Again, just a few quick comments. Overall a marginal increase, one-half of 1 percent. The obvious question that springs to mind is that we have a number of different regions. As I understand it, there are 13 office locations around the province that look at, along with the Fire Training School and communication services, a variety of different things: mediation, public hearings, industry education, and so forth. The mediation aspect has been in fact cut for these different areas, and I'm wondering if the minister could address why the mediation has gone down and address a little bit why we see such a vast discrepancy in dollar allocations to the different regions. We've got the southern, central, north central, and northwest regions. Obviously, regions are substantially different in size, but some have gone up, some have gone down. In fact, one doesn't change at all. I'm wondering if the minister might address why we see some changes there.

9:00

Again going back to Divisional Support, just like I referred to in vote 2, percentage-wise – not dollar-wise admittedly – the largest increase is in Divisional Support. I'm wondering why that is the case. Why was it the only one to really get any substantial percentage increase as well?

Just a quick question with respect to the Fire Commissioner. The budget is shown to have been frozen. I wonder if the minister might comment why that would be the case. Does that reflect the needs of the Fire Commissioner? Are there no changes, or what's going on?

Again in vote 3 we have the same pieces of legislation referred to that I mentioned earlier on. One of the perceptions that I have of what's happening in the Department of Labour is not necessarily that the current pieces of legislation we have are that terribly inappropriate. They do perhaps need updating, but what is really needed are tougher standards and stricter monitoring and enforcement. So I guess I'm wondering why it is that in these different areas we've got a reduction in the total number of inspectors and the total number of inspections that are occurring around the province. Safety, I think, as I've mentioned before, should be the paramount concern of this minister and of this department, and I think that doesn't seem to be taking place. In particular, I'm wondering about oil field contract workers. The oil field contract workers are exempted from regulations under the Employment Standards Code. Things like hours of work, overtime, scheduled amount of rest between periods – like if they work a double shift, they may get eight hours or even less than eight hours. I'm sure the minister can appreciate this: when you're working in this kind of a job and you're tired, you can't really do your job well, but when you're working in a hazardous situation, you could end up losing life or limb. It seems to me that that's something that should be addressed under the Employment Standards Code, which, of course, is under vote 3. I would like the minister to address that as well.

The employment standards branch in response to phone calls has suggested to us that in fact they are a complaint-driven department. I think that's kind of the wrong approach. Employment standards should be more proactive, getting out there and ensuring that employment standards are being

maintained, and they should be going in and monitoring and seeing what's going on in different worksites, especially in areas like oil field contract workers where you've got the potential at least for very dangerous, hazardous situations to be occurring. I think that again the role of the Department of Labour really should be to get out there and defend workers' rights and, even more importantly, the workers' safety.

Moving on to vote 4, I want to just skip down to the bottom here. I've noticed that in all of votes 1, 2, and 3, and also vote 4, the smallest area, there are some grants being given to different people. The total figure, I think, is around \$22,000, \$23,000. The minister didn't make any comment about to whom or why those grants are being given. I wonder if the minister could make some comment about what's going on there. In all areas we've seen some tremendous reductions in the grants being given. In votes 3 and 4 we see that the grants are pretty much holding steady, and I wonder if the minister could address that a little bit.

Labour Relations Board, up 16.8 percent in this particular area. I have just a quick question with respect to this. Since the Labour Relations Code is really the primary piece of legislation for the creation of this section, a question that I would have to ask is: when is the government and when is this minister going to amend the Labour Relations Code to allow health care professionals the right to strike in this province? I think it was absolutely shameful the events that occurred in 1988 wherein we had a variety of different people, nurses, being harassed, fined, and given a difficult time. So it's a real disappointment to see that that has not been the case yet, and I'm wondering: is there a move to introduce an amendment to the Labour Relations Code?

The Individual's Rights Protection Act, vote 5. The Member for Edmonton-Belmont has already touched on this reasonably well, and the minister, in fact, made some comments that the activities of the commission have rather dramatically increased over time. A couple of questions that I would put to the minister. Does it really reflect an increase in the number of complaints or the number of investigations? Is the increase of 18.5 percent that is being requested here, from \$1.3 million to \$1.5 million, an attempt to increase the number of staff for the individual's rights protection commission? Are there going to be more people doing investigations? As a follow-up to her recent announcement at the news conference on stopping sexual harassment, I think it's a great program, but is there going to be a new direction in the Human Rights Commission to look at addressing what could very well be an increase in the number of complaints received by the commission because of a higher profile? I think it's a good direction that the minister has undertaken, but where are they going down the road with it?

I think ultimately down the road – and again this is a suggestion: is there some intent for the Human Rights Commission to be more proactive? Right now, as I understand it, in many cases they respond to complaints. If a person has a complaint about discrimination occurring because of religious or sexual orientation or sex or whatever, then the commission responds.

MS McCOY: Not sex; gender.

MR. BRUSEKER: Gender. Sorry; I stand corrected.

Is there an intent to become more proactive, get out there and really, in the spirit of Education Week, become educators themselves in the Human Rights Commission? I'd like to see that if that is in fact occurring.

Finally, in Personnel Administration, PAO as it's more briefly known, we see a variety of different changes. Recruitment/Career Advertising is down 50.4 percent from \$468,000 to \$232,000. Just a quick question there: what's the rationale? Why are we seeing a decrease of 50 percent in that particular area? Why similarly was Staff Development and Occupational Health cut 11 percent? I think that Staff Development and Occupational Health again to me sounds like health and worker safety, and I tie it back to my comments that I had earlier on about worker safety: that that should be the paramount direction of the Department of Labour. Employee Relations also shows a small decline, and I wonder if the minister could address why that decline is there as well.

Briefly about a variety of other just sort of general issues. The Public Service Act, of course, deals with the public servants, and I'm wondering, again in line with my question about the Labour Relations Code, is there going to be any kind of a move to amend the Public Service Act to allow public servants the right to strike? For example, I think again we can refer to the strike by the social workers last year. I think there were some very disappointed individuals both in terms of the social workers and in terms of their clients. I think the process could be more fair if the Public Service Act were amended to allow public servants the opportunity to strike.

I'm wondering also if the minister might address comments with respect to AUPE and the leader of AUPE with respect to any possible future staff layoffs, because the Treasurer in his budget discussions talked about the need to reduce total staff. I think that can be a positive thing in terms of balancing the budget. It can also be, quite frankly, a positive experience in terms of personal growth of the individuals provided – and this is a strong proviso – it's handled in a very humane and understanding and caring way. I'm wondering what kinds of discussions are going on between the minister and AUPE. In particular my question is: are there anticipated further layoffs in the public service, and if so, how much?

Since the minister is in charge of the personnel administration office, I'm wondering what kind of impact and what kind of discussions you've been having with, for example, the Minister of Agriculture or the Minister of Recreation and Parks with respect to decentralization. There have been a number of interesting comments, shall we say, coming out respecting the idea of moving government offices to smaller centres around the province. Again, I don't think that's necessarily a bad idea, but I'm wondering what kinds of discussions have been going on there. In particular, has there been any assistance from this minister to individuals and their families? Because it's not just the employee who is affected; the spouse and children of that employee are also going to be affected. It's a tremendously uprooting experience, and I'm interested to see what happens there.

With that I will cease and allow other members to pose their questions. Thank you.

9:10

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

MS M. LAING: Thank you, Mr. Chairman. I just have a few comments in regard to the Human Rights Commission, vote 5. I note that what is reported in the estimates is an 18.5 percent increase over last year's budget estimate. However, on November 15, 1990, the commission received a special warrant for \$127,000 to meet higher than anticipated administrative and

operating costs due to the increased activity of the Human Rights Commission. For sure we welcome the increased activity of the Human Rights Commission, but this means that the actual increase this year is only 8 percent over that of last year. In comparison to the 1989-90 expenditures, which were \$1,476,183, we see an increase of only \$72,000, or a 4 percent increase, which is not very significant when one considers that the minister has said in the past that in the last two years there has been an increase of 40 percent in the caseloads. So I'm concerned that this most important part of this minister's responsibilities may not be getting the kind of funding that it needs.

I note that salaries, wages, and employee benefits have a 22.6 percent increase over last year, but I note that the number of staff has not changed. So I would ask the minister: what is the cause for this increase? The lack of staff increase, of course, is of concern, given that the number of cases to the commission is increasing, and probably, as the minister has said, that's because people are becoming more comfortable about voicing their complaints. I welcome some of the public awareness campaigns that the minister has brought forward and also the \$7,400 award to the victim of sexual harassment; those are very important steps forward in this province.

We would note that the most common sources of complaints, a total of 65 percent, related to gender, pregnancy, sexual harassment, and race and colour. Again we have to be concerned about these kinds of complaints, and given that the minister has a commitment to women moving into nontraditional work, I would ask: what kinds of initiatives does she plan to put in place to make sure that women aren't hindered? We hear of increased sexism on our university campuses and we also hear of the glass ceiling in the workplace, where very competent women are only promoted to a certain level and then beyond that they are not promoted. So those are serious concerns for us.

I guess in this context, too, we would note that 57 percent of all unresolved employee complaints are directed to the provincial government as the employer. We see some irony in the fact that although this minister I have no doubt is very committed to reducing sexism and racism, it is in fact this government where a significant number of complaints have been made. I'm wondering what will be done to reduce this so that the government becomes a role model rather than a contributor to the problem.

We see that problems of race and colour are almost as numerous as problems relating to gender, and I'm wondering what programs the minister might have in place or be planning to reduce these problems. I'm thinking particularly about immigrant women, who are really at the lowest end of the totem pole, and the need for English as a Second Language training, because many of these women would not have the capacity to complain and would not have a way of learning about their right to complain, that they do not have to put up with certain kinds of behaviour and treatment. I'm wondering if the information in this regard is being prepared and presented in languages other than English, because I think we have often heard about the ghettoization and the experience of immigrant women.

I guess my final point would be that we still do not have sexual orientation included in the Individual's Rights Protection Act. We have seen this year where a person was fired on the basis of sexual orientation even though he was a good employee and sexual orientation had nothing at all to do with the work being done in the workplace. He was fired from an institution that receives almost three-quarters of a million dollars in government funding. We have to be deeply concerned at this

kind of discrimination and again would call for the inclusion of sexual orientation in the Individual's Rights Protection Act.

I thank you. Those are all the comments I have.

MR. MITCHELL: Mr. Chairman, I would just simply like to speak briefly on the episode with the Solicitor General and his statements that through guilt by association we would establish that alleged members of alleged gangs would be deported were they non-Canadian citizens or landed immigrants.

I recall the minister being asked a question about this matter in the Legislature by my colleague from Calgary-Buffalo, and the question was to determine what her opinion was of the Solicitor General's statement. Many of us were highly concerned when we realized that the minister responsible for human rights, this minister, failed to unequivocally state that what the Solicitor General said was categorically wrong and contrary to our belief in people's rights and the rights of the individual in our society. If the minister responsible for human rights in this province isn't prepared to state unequivocally that what the Solicitor General said was wrong, then it is our belief that we have at the very least a minister responsible for human rights who is not fulfilling that responsibility properly and at the very worst a minister who reflects a broader malaise and lack of character in her government.

It was interesting to note that the Attorney General was much more determined in his statements about the rule of law and, therefore, his rebuttal of what the Solicitor General said and his, I think, implicit reprimand of the Solicitor General, and I would like to hear tonight an equivalent reprimand of the Solicitor General by the minister responsible for human rights.

Thank you.

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

MR. EWASIUK: Thank you, Mr. Chairman. I, too, would like to make some comments regarding this department. More specifically, I'd like to address the personnel administration offices. I think it is, of course, a large responsibility when we're dealing with the fact that the government is the largest employer in the province and with that, I would assume and I'm sure is the case, has a large responsibility in providing some leadership in terms of employee relations. So what I wanted to do this evening is primarily bring to the attention of the minister some of the things that have come to my attention in my communication and discussion with various sectors in the province that are administered by the personnel administration offices.

It seems, Mr. Chairman, that under the guise of restrictions or whatever, the government, in the opinion of some employees, tends to practice discrimination with its employees. That practice is the times when the government hires full-time part-time employees. There seems to be a growing tendency in that direction, and I think some of the figures in vote 6 would, in fact, verify that. The real problem with that and when perhaps the word "discrimination" might be used is the fact that in most cases, if not all cases, these individuals are women. Quite often also they might well be women who have come to Canada from other countries and are really to some degree, I believe, being exploited. What that really means is that these people are working under something called "wages" rather than a salary. In most cases they don't get benefits and of course don't acquire seniority. I know of some cases where people have in fact been something called "wage employees" for eight to 10 years. That's an area I would ask the minister to have a look at: whether

there's any possibility of review and some adjustments in this area.

9:20

Another area that has been brought to my attention that I wanted to raise this evening is the health and safety practices within the various departments throughout the province. With the advance of technology that we have in our offices these days, particularly that of the computer, it takes a fair amount of design work to develop an office where the workstation is properly developed in such a way that it's comfortable and healthy for the employee when they're at that station. The kinds of comments I have are that quite frequently that is not the case, that quite often the workstation might well be cramped; it's not large enough; the positioning of the equipment at the desk is not conducive, first of all, to work for the employee but also, I think, for the health of the employee. I think that needs to be addressed quite quickly, because it does have a long-term effect on employees where they have back problems. Of course the other part is the time, the duration, that employee spends at the keyboard, at the computer. I understand there are requirements now that there are 15-minute breaks or whatever, but there needs to be an absence away from the machine over a period of time, because in the long term the fact of headaches – people who have spent a fair amount of time at the computer will end up requiring the use of glasses and so on. There are, I think, kinds of safety hazards or health hazards that accumulate as a result of the position of people using the computers, and so I think there need to be addressed throughout the government services, first of all, as I say, the workstations, and secondly, the work performance and the duration of time the employee spends at the computer.

Another area the minister alluded to in her opening remarks was the attrition or abolition of employees, again for efficiencies and restrictions. I guess one really can't argue with that. If there's attrition and we can produce the work more effectively and efficiently, you can't argue with that, but the kind of information I have that has been given to me is the push to have people take early retirement. Again I think that is acceptable; I'm sure many employees look forward to the opportunity to be able to retire at age 55 or whenever it might be so they can perhaps continue to do something they wanted to do for a long time. The problem is the employees who may not want to take early retirement because perhaps in some cases they cannot or they simply don't wish to leave their employment. What option do these employees have? Although I haven't seen it personally, I have been told there have been letters. One department of the government issued letters to certain employees that when they reach 55 later this year, they will be given a severance and they'll need to retire. In my opinion this is not acceptable. I think that if the employee wishes to continue his stay with the government and enjoys what he's doing, he shouldn't have to be forced out of doing what he wants to do and is doing because he reaches a certain age.

If the minister is not aware of the issue, perhaps she may want to have a look at it. I'll go one step further and say that at least one incident I know of is in the Solicitor General's department. Now, I'm not sure what kind of jurisdiction you have in other departments, but I would think that if it's relative to personnel administration, you have authority over all personnel irrespective of departments.

Those are the areas I wanted to pass along to the minister. The kind of information that is brought to my attention I believe requires some investigation and perhaps some ratifications made

to ensure that the health and safety aspect is looked at and the practice of full-time part-time employees becoming the norm rather than the exception, as seems to be the case.

Just one other question on vote 6. We note there has been some decrease in the number of staff in full-time positions; I think it's about 14 from last year's estimates. However, there was a 2 percent increase in the salaries, wages, and employee benefits. With 14 people dropping off in that department and yet there's an increase of 2 percent, one has to wonder why. Where has this 2 percent gone to? Where has it been spent? One can think there may be some additional benefits and so on; nevertheless, there's approximately \$150,000 here that seems to be an increase in spite of the fact that there have been 14 fewer employees in the department.

Mr. Chairman, those are the comments I wanted to make this evening. Thank you.

MR. CHIVERS: Mr. Chairman, I've noted a remarkable tendency to brevity in the members opposite and amongst my own colleagues tonight, and I was wondering what might account for that. I thought at first the calculators and the blue forms that I see appearing around the House had something to do with the estimates, but perhaps they have more to do with the postal deadline tonight. I, too, will attempt to be brief in my comments.

I was very pleased to hear the minister's comments with respect to her intentions with respect to the Labour Relations Code and her commitment to review that legislation on the completion of a complete round of collective bargaining. I'm hoping that in these estimates she's made allowances with respect to the operation of the Labour Relations Board to monitor a number of the areas that I believe need monitoring. In particular I'd suggest that the staff of the Labour Relations Board pay particular attention to the question of remedies for unfair labour practices and the possibility of expanding the powers of the board to empower the board to effectively redress unfair labour practices. I'd suggest, also, that attention be paid to a problem which is becoming more crucial in terms of bargaining of collective agreements, and that is the question of the checkoff of union dues. I suggest that it's high time we had a Rand formula provision in the legislation, and I hope attention can be given to that direction.

With respect to the situation that developed during the support staff strike, which was a situation where there was a certification during the course of the strike, fortunately due to a rather wise decision of the chairman of the Labour Relations Board no problems developed. But I suggest that there should be some attention paid to making sure the problem that developed in that case does not reoccur, and that probably requires an amendment to the legislation.

9:30

There are ongoing problems in the areas of sale of businesses and spin-offs and successor rights. Again, I hope some attention can be paid to these areas, monitoring the problems in preparation for the review of the legislation. Also, with respect to the revocation situation that develops, revocation of certifications, some effective remedies are needed for employer sponsored revocation applications.

With respect to the collective bargaining process I think experience will show that the delays that were crystallized in the legislation in the last round of amendments to it have proven not to be effective in achieving the purposes that they were designed to achieve. I suggest that there should be some data

compiled with respect to the experience of the board in that area. With respect to votes there is a clear need for reciprocity between trade unions and the shareholders of companies. Members of unions and shareholders of companies would be true reciprocity, rather than having a vote by a company being a single vote. With respect to replacement workers I'm sure the minister is well aware of the concerns in that area.

With respect to the need for first collective agreement arbitration, I suspect she will have had some submissions in that regard, and I would hope that she would consider looking at the possibilities in that area as well. I know there have been statements made in the House with respect to the public sector and the right to strike; I'm looking forward to seeing what develops in that area. There are two groups that are under compulsory arbitration under the Labour Relations Code. Those are the nurses and fire fighters, who, ironically, were placed under that legislation as a result of some rather effective compulsory arbitration awards. I'm wondering what the intentions of the minister are with respect to those two groups.

I draw to her attention once again the draconian measures in section 112 with respect to the suspension of union dues checkoff, and I submit that section 113 is not a realistic reciprocity for that section. I'd ask that some consideration be given to either removing those sections or establishing true reciprocity.

There is a need in the area of collective agreement arbitration – those are rights arbitrations under collective agreements – for some changes to the model clauses, such as powers to relieve against time limitations in a collective agreement in order to ensure a just and equitable disposition of grievances, and some extension of the powers of arbitrators in other aspects.

There's a need to tighten up the dispute-related misconduct sections of the code. I don't propose to go through it more extensively in view of the pressure that some members are working under tonight, especially the member seated adjacent to me, who seems to be studiously working with her calculator. However, I would like to point out that the process the last time the Labour Relations Code was amended – the exercise was, in my submission, a failure. The process was flawed and the product is flawed. I trust that the review that the minister is speaking of will be a more thoughtful and more useful exercise.

Those are my comments, Mr. Chairman.

MR. MITCHELL: Mr. Chairman, while I have the opportunity, I'd like to pursue the question of the Solicitor General's statement a little bit further. I would like to ask the minister not only for her opinion of the Solicitor General's statement about membership in gangs and the potential for being deported under his view, but also whether the minister could comment on the Premier's comments last Thursday when questioned about this issue. The Premier I think revealed a great deal when he answered the question about what his position was on the rule of law and individual rights and so on when he said, "A large part of our problem is the lawyers that milk the system keeping people like Charles Ng in Canada." I wonder whether the Minister of Labour in her capacity as minister responsible for human rights could perhaps comment on that particular statement and clarify for the people of Alberta what her Premier means when he says that lawyers would be milking "the system keeping people like Charles Ng in Canada," if she could clarify that statement and further clarify what the government's position is officially on membership in gangs and whether, in fact, the Solicitor General's comments would run counter to some sense of rule of law and individual rights in this society. [interjections]

Calgary-McCall I think is part of that. It would be very interesting to have a clarification on the part of the minister responsible for human rights on these important matters.

Point of Order Relevance

MR. GOGO: A point of order, Mr. Chairman.

MR. CHAIRMAN: The hon. Deputy Government House Leader is rising on a point of order.

MR. GOGO: Well, Mr. Chairman, under Standing Order 23, I think the hon. member could ask the Premier himself Friday morning when the Premier presents his estimates.

MR. CHAIRMAN: Well, that may be true, but the Chair would say that it's going to be up to the minister to decide what she's going to be responding to. The minister has been asked questions about her responsibility for the Human Rights Commission and some statements that were made here, there, or somewhere else. It's up to her to decide what she's going to respond to.

The hon. minister wishes to review the scene at this time?

Debate Continued

MS McCOY: Thank you, Mr. Chairman. I will, if I may, go over some of the points, vote by vote, that have been raised, but first let me thank all members who have made sincere comments and given suggestions for the time spent on thinking through some of the issues that they have raised.

Quickly, in vote 1, the Issues Management Group is not more staff. Because of the reallocation of the department, you'll see some of the percentages moving around, but the Issues Management Group, and I did refer to it earlier, is designed to be the strategic planning and response team for the department; as I said, an interdependent heart of the department. I would hope that it becomes something of a precedent for government organization over time.

There was reference to the Auditor General and particularly to pensions. We've responded to that. That did account for some increase in the pensions area, because we are bringing in audits over the pensions that we administer which are private-sector pensions.

[Mr. Moore in the Chair]

The Minister's Office. Increases have been imposed because there is just that much more work to do and, of course, standard increases in salaries as well.

Moving to vote 2, Grants. Grants overall have decreased by 68.8 percent. That is because we are moving more and more into partnerships with stakeholders in the work world, so we are moving less to giving money directly and moving more towards finding co-operative efforts that we can share in. Also in vote 2, the Supplies and Services number is up. That again is a reallocation of dollars. Work Standards has increased more in percentage terms than Safety Standards. That is because we are continuing a risk management program which we started several years ago. In Work Standards what we are doing is positioning ourselves so that we can reach out and actually consult and work with more people who are in the workplace, both employers and employees, to ensure that we have contemporary and relevant work standards.

9:40

As it has been said in this House before, the elevator statistics go up and down. It is impossible to look from one year to the next year and draw any conclusions from them. For example, in 1983-84 we had 33 investigations. Last fiscal year we had only 18. You cannot take two years of numbers and compare them and draw any conclusions from it at all. In addition to that, there are 7,500 elevators or thereabouts in Alberta, and last year only six of those had problems that required our investigation, which is a rate of .01 percent, which I would say again is a very good record.

The safety council. There are some who persist in misunderstanding the purpose of the new safety codes Act. The proposed Act, which we will be introducing soon, has been available to the stakeholders and the implementation committee, which, as I say, has over 50 people on it. The information, therefore, should be available to those who wish to inform themselves. The safety codes Act will not eliminate the codes. It is merely an umbrella Act which brings in, in particular, a new safety council which will allow the stakeholders in fact to be very much more involved in the regulation and risk management of their own area, which is I think where we should have the participation. Those who are closest to the problems are most likely to be the most effective.

The number of offices in vote 3 is considerable. They have not all been itemized in the estimates. Nevertheless, there are something in the order of 13 around Alberta. I think the first comment on this was raised in the context of the storefront office. I grant you that we have only one of those in Alberta so far. We are slowly responding as resources will allow us to do so, and we have responded first where we thought the most need was present. We will continue to respond in that manner as resources permit.

The difference between Occupational Health and Safety and our department. We have inspections of things more than we have inspections of people. Occupational Health and Safety I think I will leave to the minister responsible to speak to his own mandate. In the Department of Labour we tend to be inspecting fire hazards. Then, of course, we regulate the people who are inspecting by making sure that there are quality standards in place. Primarily we are looking at installations. How is your wiring set up; is that going to cause a problem? Is the plumbing installed correctly; is that going to cause a problem? Are your boilers properly maintained; is that going to cause a problem? So it tends to be, as the codes themselves indicate, the electrical protection code, the building standards codes: how wide are the doors; barrier-free access; do you have certain ramps and so forth available? It tends to be those sorts of things.

Investigation inspections and audits and how often of course vary in a risk management system, which we have and continue to improve upon. One chooses priorities on the grounds of how often the problem is likely to occur and how large the possible damage is if something goes wrong. Why the different percentages for different regions? It varies for a variety of reasons, one being that we have moved to putting in regional directors, and others for balancing the resources according to the needs as they have changed in those regions. There are a variety of reasons, and I won't detail them any more than that.

Oil field workers. That has been raised in the House before. They have certain working conditions and exigencies and demands in the field that do not allow for a 9 to 5 working day. The department has for many years now worked with that industry to allow the flexibility that is needed in order to respond as and when it is necessary to do so. There have been instances recently of employers in fact committing infractions

even of the rules that we have in place which are special and particular for that industry. We have moved in response to those complaints, and the employers themselves are addressing them, as far as I know.

The Labour Relations Board, just talking on some of the questions that specifically were raised. There was reference to the Maxam correspondence. I noted this quotation: "individual that wrote that letter." There is no proof as to who the individual who wrote that letter is. There is proof that the same person wrote two or three documents. There is no proof from the handwriting expert as to who that person is. Talking about due process, one would not move without due process being put in place to ascertain who that might be. The Minister of Labour is not a judge, nor is she a Chair of a quasi-judicial tribunal. There is, however, a quasi-judicial tribunal who would be ready at the moment of an application to deal with this question. That would be the appropriate process. The parties who are most directly affected have been invited to access the facility, the process, the Labour Relations Board, and to my knowledge, both have declined. I think it is fair, then, to say that if the parties most directly affected do not wish to pursue it, then the Minister of Labour should not either.

I've dealt with the grants question. Under vote 5, which is the Human Rights Commission, although it has been noted that the number of full-time equivalents has not changed, it is in fact an increase in dollars because we are fully staffing, we're fully filling all positions this year, and it is in response to the increased activity. There's no question that the more successful the Human Rights Commission is, the more its services will be in demand. That's as it should be. As our population grows, it grows in diversity, and more and more people are turning to the commission for help, so the response should be there. There was mention of the commission being proactive, and I just want to remind everyone who may wish to be fully apprised of the rights of their constituents: don't ever forget that there can be third-party complaints. That is not an insignificant provision.

Regarding sexism and reduction of other discriminations and the government as a role model, I have had in place for some years now an employment equity committee. We have, as I said in my opening remarks, such programs as accelerated management and mentoring programs, and we have done the joint survey with AUPE on balancing work and family responsibilities.

Under the Human Rights Commission there has also been a question raised with regard to alleged gangs and alleged members of gangs. I may just take this moment to say that on the day that that question was raised in question period, it was answered fully by the Attorney General, who stood and said, as minister responsible for the administration of justice, that due process is available to each and every one of the people here in Canada, citizens or not. I wish to just reiterate that when a minister of this government stands and speaks to an issue in this House, he or she is speaking for the entire government, and it is not necessary for any one of us as members of that government to reiterate it. That statement stands for all of us. I do find it typical of the member, who has raised this question tonight through another member since he hadn't even the courtesy to be here, as I understand the Member for Edmonton-Meadowlark to have said. He is asking a question on behalf of a member who couldn't even be bothered to be here tonight.

9:50

MR. MITCHELL: No, no. I just referred to the fact that he'd asked the question.

MS McCOY: Well, then let me say this. Let me reiterate then. When one minister stands in response to a question in question period – in this case most appropriately the minister responsible for the administration of justice – and he answers that question, he answers that question for all of the government. In the question period it is not then appropriate for allegations and innuendos to be taken in the context of others who do not take up the time of members in this House, who have questions on urgent and pressing matters, to allow other questions to be put forward. It is not appropriate to pass an innuendo around that for some reason or another, silence means guilt by association. The very allegation that the member is raising through a member of the government, he is now indulging in. He is taking a presumption, running completely counter to our system of justice, which is quite frankly based entirely on allowing persons to retain their silence when in fact there are others speaking for them.

I wish to say once again that it shows how quick members of that particular party are to judge, it shows how quick they are to allege, and it shows how very slowly they are to acknowledge that in fact they twist the facts to suit their own distorted, disappointed, and disaffected vision of their fellow citizens of Alberta.

Moving to vote 6, advertising has a 50 percent decrease. Let me again iterate that the personnel administration office is in fact a consultative body. It advises departments. It is in fact in its own way an advocate and a catalyst, but the departments themselves have autonomy in their own management. What is happening in the advertising budget is that the departments are now in fact paying directly for their own advertisement. The central agency is not picking up that tab. We are also, however, making more use of the internal *Bulletin*, which lists all of the jobs available in the public service. Let me reiterate: the decrease in PAO's budget for advertising does not mean a reduction in recruitment or other such ads; it means that the cost has been decentralized throughout the government.

Occupational health: the same explanation is true of it. The PAO has kept a core of advisers and planners and researchers, but again the actual function has been decentralized throughout the government so that those departments who have a high need for occupational health and safety officers now have them on their own staff.

AUPE has in fact been in consultation with the PAO, and the president and myself are in constant dialogue. We do consult on how it is best to ease the working conditions of our civil service, and of course, as everyone knows now, AUPE has brought in a brief regarding the right to strike for their members, and that is still under review.

Regarding part-time employees in the government of Alberta, I want to make the point that they have fully prorated benefits. We have moved to that as an employer because we feel that that is the appropriate thing to do.

The salary increases in the vote of \$150,000 that I believe the member mentioned are normal COLA, cost of living adjustments, and merit increases in the unit. Because the unit is almost totally staff, those increases show up more than they would in many of the budgets.

I have taken notes of discussions elsewhere and suggestions that people have made, but in view of the hour, Mr. Chairman, perhaps we could call for the question.

I wanted to conclude, however, by saying to the Member for Edmonton-Belmont that his comments regarding the boiler advisory board were very graciously made. I appreciate the position that he found himself put in, and I thank him through

you, Mr. Chairman, for having the courtesy to mention that on the record. I have sympathy for him. It happens to all of us from time to time.

Thank you.

MR. ACTING DEPUTY CHAIRMAN: The Member for Edmonton-Meadowlark.

MR. MITCHELL: Thank you, Mr. Chairman. I would just like to respond briefly to the response of the minister to my earlier comments. I think they somehow distill down to us having to accept that the Attorney General's answer to the question of whether or not people could be deported for their alleged association with gangs was the government's position, that that minister somehow spoke for the government. Well, I simply don't know why it would be that we would accept that minister's statement as the government's position over and above the Solicitor General's statement as the government's position on this issue. Why would one of those ministers – who happen to be peers in their cabinet, who are equivalent ministers – over the other establish the government's position?

I think it isn't, further, enough to say, for a minister who has a responsibility for human rights, that to remain silent somehow isn't to be attributed to one position or the other. No; I think the silence of that minister is a very, very telling comment about this government. I would like to hear what this minister feels in her own words, not paraphrasing what the Attorney General said but in her own words, and in the absence of that, we're still left with two competing views of equivalent ministers, peers in that cabinet, and that wasn't resolved by the Premier. What is the Premier's position, and could this minister please reflect somehow, give us some indication, of what the government's position is, not one minister or another minister, but what the government's and her position is as the minister responsible for human rights? We still haven't heard that.

MS McCOY: The government's view was very ably stated in question period the other day by the Attorney General. That view was stated in question period in answer to a question quite directly by the minister responsible for the administration of justice. That is the view of the government, and if this member would stop indulging in, ironically, the very fault that he is alleging others have, then he, too, would see the point that has been made time and time again. The position of the government is that stated the other day by the Attorney General.

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

MR. SIGURDSON: Thank you, Mr. Chairman. I just want to very briefly revisit the question of the Maxam memo, because the minister has left the impression with members of the committee that there wasn't sufficient information. Well, I beg to differ, because the forensic document examiner examined a document that was signed by the author, Willard Kirkpatrick. He contrasted that which had a signature on the document to the handwritten documents that contained the inflammatory remarks that were anti-union. That's how we found – and I'm recalling now by memory – I think 15 points of similarity. Apparently this forensic document examiner has given testimony in courts where he has had three points of similarity, and that has constituted an expert witness, which has resulted in conviction.

Here we have 15 – it's in the teens. I don't know if it's 15; it could be 13. Let me use the number 13 because I remember it being in the teens: 13 points of similarity between the signature on a handwritten document and the handwritten document that has the inflammatory remarks that are anti-union. Secondly, when I provided that information to the minister, I also advised other people that were concerned, the party that brought it to my attention. They said that if the minister wasn't going to uphold the law, they didn't feel that there was much point – not much point – in them taking it to a body that may do something. They felt that it was entirely up to the minister and that the minister had all of the evidence, that the minister could have taken the matter to the proper authority and made sure that the law was upheld. They didn't feel so moved to have to take it upon themselves, and the minister wasn't about to do it.

Those are my remarks.

10:00

HON. MEMBERS: Question.

MR. ACTING DEPUTY CHAIRMAN: The question's been called.

Agreed to:

1.1.1 – Minister's Office	\$285,499
1.1.2 – Executive Management	\$604,130
1.1.3 – Human Resource Services	\$339,198
1.1.4 – Finance and Administration	\$1,346,963
1.1.5 – Systems	\$756,433
1.2.1 – Issues Management Group	\$1,718,905
Total Vote 1 – Departmental Support Services	\$5,051,128
Total Vote 2 – Work and Safety Standards	\$4,155,208
Total Vote 3 – Work and Safety Client Services	\$18,198,094
Total Vote 4 – Labour Relations Adjudication and Regulation	\$1,897,577

Total Vote 5 – Individual's Rights Protection	\$1,548,423
Total Vote 6 – Personnel Administration	\$10,020,870
Department Total	\$40,871,300

MS McCOY: I move that the votes be reported. Thank you.

[Motion carried]

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

[Motion carried]

[Mr. Deputy Speaker in the Chair]

MR. MOORE: Mr. Speaker, the Committee of Supply has 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, 1992, for the department and purposes indicated.

The Department of Labour: \$5,051,128 for Departmental Support Services, \$4,155,208 for Work and Safety Standards, \$18,198,094 for Work and Safety Client Services, \$1,897,577 for Labour Relations Adjudication and Regulation, \$1,548,423 for Individual's Rights Protection, \$10,020,870 for Personnel Administration.

MR. DEPUTY SPEAKER: Does the Assembly concur in the report and the request for leave to sit again?

HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: Opposed? Carried.

MR. GOGO: Mr. Speaker, the business of the House tomorrow will be government business, the Hon. Rick Orman, Department of Energy.

[At 10:07 p.m. the Assembly adjourned to Wednesday at 2:30 p.m.]