



Province of Alberta

The 30th Legislature
Second Session

Alberta Hansard

Monday evening, July 27, 2020

Day 51

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta

The 30th Legislature

Second Session

Cooper, Hon. Nathan M., Olds-Didsbury-Three Hills (UCP), Speaker
Pitt, Angela D., Airdrie-East (UCP), Deputy Speaker and Chair of Committees
Milliken, Nicholas, Calgary-Currie (UCP), Deputy Chair of Committees

Aheer, Hon. Leela Sharon, Chestermere-Strathmore (UCP)
Allard, Tracy L., Grande Prairie (UCP)
Amery, Mickey K., Calgary-Cross (UCP)
Armstrong-Homeniuk, Jackie,
Fort Saskatchewan-Vegreville (UCP)
Barnes, Drew, Cypress-Medicine Hat (UCP)
Bilous, Deron, Edmonton-Beverly-Clareview (NDP),
Official Opposition Deputy House Leader
Carson, Jonathon, Edmonton-West Henday (NDP)
Ceci, Joe, Calgary-Buffalo (NDP)
Copping, Hon. Jason C., Calgary-Varsity (UCP)
Dach, Lorne, Edmonton-McClung (NDP)
Dang, Thomas, Edmonton-South (NDP)
Deol, Jasvir, Edmonton-Meadows (NDP)
Dreeshen, Hon. Devin, Innisfail-Sylvan Lake (UCP)
Eggen, David, Edmonton-North West (NDP),
Official Opposition Whip
Ellis, Mike, Calgary-West (UCP),
Government Whip
Feehan, Richard, Edmonton-Rutherford (NDP)
Fir, Hon. Tanya, Calgary-Peigan (UCP)
Ganley, Kathleen T., Calgary-Mountain View (NDP)
Official Opposition Deputy House Leader
Getson, Shane C., Lac Ste. Anne-Parkland (UCP)
Glasgo, Michaela L., Brooks-Medicine Hat (UCP)
Glubish, Hon. Nate, Strathcona-Sherwood Park (UCP)
Goehring, Nicole, Edmonton-Castle Downs (NDP)
Goodridge, Laila, Fort McMurray-Lac La Biche (UCP)
Gotfried, Richard, Calgary-Fish Creek (UCP)
Gray, Christina, Edmonton-Mill Woods (NDP)
Official Opposition Deputy House Leader
Guthrie, Peter F., Airdrie-Cochrane (UCP)
Hanson, David B., Bonnyville-Cold Lake-St. Paul (UCP)
Hoffman, Sarah, Edmonton-Glenora (NDP)
Horner, Nate S., Drumheller-Stettler (UCP)
Hunter, Hon. Grant R., Taber-Warner (UCP)
Irwin, Janis, Edmonton-Highlands-Norwood (NDP),
Official Opposition Deputy Whip
Issik, Whitney, Calgary-Glenmore (UCP)
Jones, Matt, Calgary-South East (UCP)
Kenney, Hon. Jason, PC, Calgary-Lougheed (UCP),
Premier
LaGrange, Hon. Adriana, Red Deer-North (UCP)
Loewen, Todd, Central Peace-Notley (UCP)
Long, Martin M., West Yellowhead (UCP)
Lovely, Jacqueline, Camrose (UCP)
Loyola, Rod, Edmonton-Ellerslie (NDP)
Luan, Hon. Jason, Calgary-Foothills (UCP)
Madu, Hon. Kaycee, QC, Edmonton-South West (UCP)
McIver, Hon. Ric, Calgary-Hays (UCP),
Deputy Government House Leader

Nally, Hon. Dale, Morinville-St. Albert (UCP)
Deputy Government House Leader
Neudorf, Nathan T., Lethbridge-East (UCP)
Nicolaidis, Hon. Demetrios, Calgary-Bow (UCP)
Nielsen, Christian E., Edmonton-Decore (NDP)
Nixon, Hon. Jason, Rimbey-Rocky Mountain House-Sundre
(UCP), Government House Leader
Nixon, Jeremy P., Calgary-Klein (UCP)
Notley, Rachel, Edmonton-Strathcona (NDP),
Leader of the Official Opposition
Orr, Ronald, Lacombe-Ponoka (UCP)
Pancholi, Rakhi, Edmonton-Whitemud (NDP)
Panda, Hon. Prasad, Calgary-Edgemont (UCP)
Phillips, Shannon, Lethbridge-West (NDP)
Pon, Hon. Josephine, Calgary-Beddington (UCP)
Rehn, Pat, Lesser Slave Lake (UCP)
Reid, Roger W., Livingstone-Macleod (UCP)
Renaud, Marie F., St. Albert (NDP)
Rosin, Miranda D., Banff-Kananaskis (UCP)
Rowswell, Garth, Vermilion-Lloydminster-Wainwright (UCP)
Rutherford, Brad, Leduc-Beaumont (UCP)
Sabir, Irfan, Calgary-McCall (NDP)
Savage, Hon. Sonya, Calgary-North West (UCP),
Deputy Government House Leader
Sawhney, Hon. Rajan, Calgary-North East (UCP)
Schmidt, Marlin, Edmonton-Gold Bar (NDP)
Schow, Joseph R., Cardston-Siksika (UCP),
Deputy Government Whip
Schulz, Hon. Rebecca, Calgary-Shaw (UCP)
Schweitzer, Hon. Doug, QC, Calgary-Elbow (UCP),
Deputy Government House Leader
Shandro, Hon. Tyler, QC, Calgary-Acadia (UCP)
Shepherd, David, Edmonton-City Centre (NDP)
Sigurdson, Lori, Edmonton-Riverview (NDP)
Sigurdson, R.J., Highwood (UCP)
Singh, Peter, Calgary-East (UCP)
Smith, Mark W., Drayton Valley-Devon (UCP)
Stephan, Jason, Red Deer-South (UCP)
Sweet, Heather, Edmonton-Manning (NDP),
Official Opposition House Leader
Toews, Hon. Travis, Grande Prairie-Wapiti (UCP)
Toor, Devinder, Calgary-Falconridge (UCP)
Turton, Searle, Spruce Grove-Stony Plain (UCP)
van Dijken, Glenn, Athabasca-Barrhead-Westlock (UCP)
Walker, Jordan, Sherwood Park (UCP)
Williams, Dan D.A., Peace River (UCP)
Wilson, Hon. Rick D., Maskwacis-Wetaskiwin (UCP)
Yao, Tany, Fort McMurray-Wood Buffalo (UCP)
Yaseen, Muhammad, Calgary-North (UCP)

Party standings:

United Conservative: 63

New Democrat: 24

Officers and Officials of the Legislative Assembly

Shannon Dean, QC, Clerk	Philip Massolin, Clerk of Committees and Research Services	Amanda LeBlanc, Deputy Editor of <i>Alberta Hansard</i>
Teri Cherkewich, Law Clerk	Nancy Robert, Research Officer	Chris Caughell, Sergeant-at-Arms
Stephanie LeBlanc, Clerk Assistant and Senior Parliamentary Counsel	Janet Schwegel, Director of Parliamentary Programs	Tom Bell, Assistant Sergeant-at-Arms
Trafton Koenig, Parliamentary Counsel		Paul Link, Assistant Sergeant-at-Arms

Executive Council

Jason Kenney	Premier, President of Executive Council, Minister of Intergovernmental Relations
Leela Aheer	Minister of Culture, Multiculturalism and Status of Women
Jason Copping	Minister of Labour and Immigration
Devin Dreesen	Minister of Agriculture and Forestry
Tanya Fir	Minister of Economic Development, Trade and Tourism
Nate Glubish	Minister of Service Alberta
Grant Hunter	Associate Minister of Red Tape Reduction
Adriana LaGrange	Minister of Education
Jason Luan	Associate Minister of Mental Health and Addictions
Kaycee Madu	Minister of Municipal Affairs
Ric McIver	Minister of Transportation
Dale Nally	Associate Minister of Natural Gas and Electricity
Demetrios Nicolaides	Minister of Advanced Education
Jason Nixon	Minister of Environment and Parks
Prasad Panda	Minister of Infrastructure
Josephine Pon	Minister of Seniors and Housing
Sonya Savage	Minister of Energy
Rajan Sawhney	Minister of Community and Social Services
Rebecca Schulz	Minister of Children's Services
Doug Schweitzer	Minister of Justice and Solicitor General
Tyler Shandro	Minister of Health
Travis Toews	President of Treasury Board and Minister of Finance
Rick Wilson	Minister of Indigenous Relations

Parliamentary Secretaries

Laila Goodridge	Parliamentary Secretary Responsible for Alberta's Francophonie
Jeremy Nixon	Parliamentary Secretary to the Minister of Community and Social Services
Muhammad Yaseen	Parliamentary Secretary of Immigration

STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Orr
Deputy Chair: Mr. Getson

Allard
Eggen
Glasgo
Jones
Loyola
Nielsen
Singh

Standing Committee on Alberta's Economic Future

Chair: Mr. Neudorf
Deputy Chair: Ms Goehring

Allard
Armstrong-Homeniuk
Barnes
Bilous
Dang
Horner
Irwin
Reid
Stephan
Toor

Select Special Democratic Accountability Committee

Chair: Mr. Schow
Deputy Chair: Mr. Horner

Allard
Ceci
Dang
Goodridge
Nixon, Jeremy
Pancholi
Rutherford
Sigurdson, R.J.
Smith
Sweet

Standing Committee on Families and Communities

Chair: Ms Goodridge
Deputy Chair: Ms Sigurdson

Amery
Carson
Ganley
Glasgo
Guthrie
Neudorf
Nixon, Jeremy
Pancholi
Rutherford
Yao

Standing Committee on Legislative Offices

Chair: Mr. Schow
Deputy Chair: Mr. Sigurdson

Gray
Lovely
Nixon, Jeremy
Rutherford
Schmidt
Shepherd
Sweet
van Dijken
Walker

Special Standing Committee on Members' Services

Chair: Mr. Cooper
Deputy Chair: Mr. Ellis

Dang
Deol
Ganley
Goehring
Goodridge
Long
Neudorf
Walker
Williams

Standing Committee on Private Bills and Private Members' Public Bills

Chair: Mr. Ellis
Deputy Chair: Mr. Schow

Glasgo
Horner
Irwin
Neudorf
Nielsen
Nixon, Jeremy
Pancholi
Sigurdson, L.
Sigurdson, R.J.

Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Smith
Deputy Chair: Mr. Schow

Armstrong-Homeniuk
Carson
Deol
Ganley
Issik
Jones
Lovely
Loyola
Rehn
Reid
Renaud
Turton
Yao

Standing Committee on Public Accounts

Chair: Ms Phillips
Deputy Chair: Mr. Gotfried

Barnes
Dach
Guthrie
Hoffman
Reid
Renaud
Rosin
Rowswell
Stephan
Toor

Select Special Public Health Act Review Committee

Chair: Mr. Milliken
Deputy Chair: Ms Rosin

Ganley
Gray
Hoffman
Long
Lovely
Neudorf
Reid
Rowswell
Shepherd
Turton

Standing Committee on Resource Stewardship

Chair: Mr. Hanson
Deputy Chair: Member Ceci

Dach
Feehan
Getson
Loewen
Rehn
Rosin
Sabir
Singh
Smith
Yaseen

Legislative Assembly of Alberta

7:30 p.m.

Monday, July 27, 2020

[The Speaker in the chair]

The Speaker: Hon. members, please be seated.

Government Bills and Orders Third Reading

Bill 33 Alberta Investment Attraction Act

The Speaker: The hon. the Minister of Economic Development, Trade and Tourism.

Ms Fir: Thank you, Mr. Speaker. I rise to move third reading of Bill 33, the Alberta Investment Attraction Act.

Traditionally investors from around the world have regarded Alberta as an attractive and compelling place for investment thanks to our low taxes, skilled workforce, and an affordable high quality of life. As we continue our economic recovery, Alberta must make important decisions. This means making the right decisions that position Alberta for a return to economic prosperity in the future. Bill 33 will enable the creation of the invest Alberta corporation, whose primary function would focus on driving high-value, high-impact investment to Alberta, targeting our key growth sectors.

The world needs to know that Alberta remains open for business and is still one of the best places to do business and invest. New investments to Alberta will revitalize our industries and subsectors, which create the conditions for economic development and growth. More importantly, new investments will lead to jobs across the province. The invest Alberta corporation would also be responsible for leading a global marketing strategy, promoting Alberta's investment opportunities and value propositions to investors in Canada and key global markets. We are not just telling the world; we are showing the world that Alberta's entrepreneurial spirit is alive and well.

I heard from the members opposite that they don't believe in this investment attraction effort. They think that this agency is unnecessary. But, Mr. Speaker, this agency is necessary. It is necessary because over four years of NDP government, a third of the total foreign investment in this province fled. It is necessary because the NDP raised taxes on job creators by 20 per cent. It is necessary because they brought in the largest tax increase in Alberta history with their carbon tax without consulting Albertans. After decades of seeing Alberta as a destination for investment, it took the NDP only four years – mere months, really, because it started almost immediately under their tenure – for them to destroy the Alberta advantage. The NDP claim that the Department of Economic Development, Trade and Tourism – I'm not sure I've actually heard any of them get the full name of the ministry correct, which speaks volumes – does this work already. The department will continue to work with our existing investors. They will help them expand.

That attitude really shows that the NDP don't understand economics. While they sat behind their desks and tried to pick winners and losers, in the end costing all Albertans, while they sat in this building and raised taxes, investors and job creators took a look at what they were doing and went elsewhere. The advantages we had when it came to high-impact investment were gone under the NDP. Under our government we're bringing them back.

But, Mr. Speaker, we need a boots-on-the-ground, eyeball-to-eyeball aggressive approach to investment attraction. We need to

be present in the major investment markets, in the financial capitals, and we need to be able to say that the days of the NDP are over and Alberta is once again open for business. That message is: we are growing our existing industries, we are diversifying, and we want you to create jobs in the jurisdiction with the best investment climate in North America, create jobs in the province with the lowest taxes on job creators, a low cost of living with the highest standard of living, and hire our well-educated workforce. We will pursue investment opportunities with determination and confidence.

We have created the conditions for growth. Our tech incentives, for example, make us the most competitive place in Canada to invest in tech and innovation, and our sector strategies will give us competitive advantages. Every step of the way the invest Alberta corporation will be on the ground. They'll be in the markets that are best positioned to hire Albertans. They'll be advocating for Alberta, and they'll be telling the world our story.

Mr. Speaker, I listened to the members opposite as they whined about this legislation for hours. It again reinforces, as my colleague the Member for Red Deer-South said, that it's really a good thing they're over there not harming Alberta businesses and families anymore with their reckless policies. The NDP question the need for this legislation. They think we don't need it. What I can tell you is that we definitely need it because, again, after four years of NDP government, foreign direct investment fell by a third. The members opposite sat behind their desks for four years raising taxes and driving out investment. They drove it out. They told companies: "Alberta doesn't want your business. We're raising corporate taxes high. We're taxing you for heating your shops and driving to work."

The Member for Edmonton-Beverly-Clareview said that there's already an Invest Alberta that's part of the department. They still exist. They're going to work with existing investors in the province. What this legislation does is it strengthens our presence internationally, eyeball-to-eyeball meetings around the world. Silicon Valley and Dubai: the member brought up those offices, and they're good, but we're going to have offices in Houston, our second-largest U.S. trading partner; in New York, the global finance capital. We're going to look everywhere. High-value, high-impact investment.

The NDP refused to let their tax credits go into the dumpster where they belong. They say we aren't getting investment because we're not telling investors they have to check in with government every time they make a decision. The NDP took the Alberta advantage and turned it into a bureaucratic advantage, Mr. Speaker. Let's look again at what happened under their watch. Investment fell under the previous government by 7 per cent in agriculture and forestry; 10 per cent in manufacturing; 21 per cent in construction; 27 per cent in finance, insurance, and real estate; 35 per cent in transportation; 36 per cent in utilities; 65 per cent in retail trade; and, of course, by 61 per cent in the oil and gas extraction sector. After all that, they ask why we need this legislation. We need it because the NDP destroyed investor confidence. They took a torch to the investment climate and put up a closed-for-business sign on our province.

This legislation is an acknowledgement that investment fled this province thanks to the socialist dumpster fire that engulfed our economy for four years. This is our government taking an aggressive approach to investment attraction. It's the right thing to do to create jobs, grow the economy, and diversify. If the members opposite had actually done their homework, they would know that we need an agency like this to compete with other jurisdictions as global economies reopen. Quebec, Ontario, B.C., Saskatchewan all have agencies like the invest Alberta corporation.

Mr. Speaker, when the accidental NDP government was elected in 2015, I woke up the next morning hoping it was just a nightmare. Well, it wasn't a nightmare, but I thought: "Well, maybe I'll give them the benefit of the doubt. Maybe this will be an Alberta version of the NDP, and it won't be so bad." Nope. When they increased taxes and took in less revenue, I thought: well, surely they'll see that that's not working and change that. Nope. I thought maybe they'd look at the history of socialist regimes across the world and see that people don't flee democratic countries to come to socialist countries; people flee socialist countries to go to democratic countries. Nope, they didn't see that either. They like to say that this invest Alberta corporation is necessary because the minister, I, am not doing my job. No, it's because the NDP did not do their job. Fact: they drove out billions of dollars of investment. They drove out thousands of jobs. They taxed everything that moved and breathed.

The invest Alberta corporation will bring investment and jobs back to hard-working Albertans and will show the world Alberta is the best place to do business and invest. Thank you.

The Speaker: Hon. members, before the Assembly is Bill 33, Alberta Investment Attraction Act, at third reading. Is there anyone else that would like to provide a question or a comment? The hon. Member for Edmonton-Gold Bar.

Mr. Schmidt: Thank you, Mr. Speaker. I'm pleased to rise and offer some comments on Bill 33, the Alberta Investment Attraction Act, and respond to some of the comments made by the minister. It's interesting to note that in the bulk of the time that the minister had given to speaking to this bill, she spent far more time attacking us over here on this side of the House than actually defending the need for this piece of legislation or the corporation that it would seek to establish.

I can understand, Mr. Speaker, why the minister might be feeling a little bit touchy. I certainly view this bill as a vote of no confidence in the work that she's done so far in her role. You know, it's no secret that Alberta is in the middle of the worst economic downturn that this province has seen since the 1930s, and, unfortunately, the government has seen fit to delay the release of an economic update until the end of August, so we don't yet know fully how much the economy has contracted over the last six months. We do know that prior to COVID this government lost 50,000 jobs implementing its failed economic policies, and since COVID we've certainly seen half a million Albertans either lose their jobs or lose hours of work and increase the economic precarity that they're experiencing.

7:40

So it would only make sense, Mr. Speaker, that we would hear nothing but an endless stream of announcements from the Minister of Economic Development, Trade and Tourism. I did a little bit of a Google search, and I found that the minister has released 12 press releases since she was appointed to that role on April 30 of 2019. That's less than one announcement per month. It's quite obvious to me and to many in my constituency that when the government is looking at what they can do to revitalize Alberta's economy, you would think that the Minister of Economic Development, Trade and Tourism would be front and centre, would be the lead spokesperson for the government on what their plans are for revitalizing Alberta's economy, but in fact she's almost completely missing in action.

So now, when Albertans are starting to notice that perhaps the Minister of Economic Development, Trade and Tourism isn't doing the job that Albertans expect her to do, we have this bill which sets up an Alberta investment corporation, an arm's-length agency that the minister doesn't really have the power to direct other than

appointing a number of board members. It's very disappointing, Mr. Speaker, that we've come to this place.

As my friend from Edmonton-Beverly-Clareview has clearly pointed out on a number of occasions during debate, there's nothing new here in the Alberta investment corporation that Economic Development, Trade and Tourism doesn't already do. In fact, when the minister introduced this bill for third reading not just a few moments ago, she didn't actually tell us anything in addition to what the department already does that this investment corporation will do. She just said that they would work with the existing structures within her department to attract investment. To me, that sounds like they're increasing the bureaucracy, the number of administrative hurdles that businesses will have to jump through in order to decide to invest here in Alberta. That certainly runs counter to what members of the government caucus like to tell us they're doing when it comes to attracting investment here in the province of Alberta.

The second point that I'd like to make is that I think that setting up this investment agency is incredibly fiscally irresponsible. It was irresponsible on the day that it was announced, in my view, to appoint Dave Rodney as the representative in Houston at a salary of \$250,000 a year, twice what most members of this Chamber earn. It's widely agreed that Dave Rodney, while a fine gentleman, has no qualifications for filling this role in Houston. In fact, the members opposite continually refer to the fact that Dave Rodney summited Mount Everest twice, which is indeed true, and that's certainly a significant achievement, but there aren't even mountains in Texas. It just smacks of pure political patronage to give Dave Rodney this position for which he is not suited.

Mr. Speaker, I think the government wasn't even happy with the level of fiscal irresponsibility that was baked into the investment corporation on the day that it was announced. In fact, when we reached Committee of the Whole, the government brought forward an amendment, which I think also goes back to my point that the minister is not doing her job. She had nothing but time to come up with this legislation, and then it wasn't until it was introduced in the House that we realized that, oh, maybe there are some mistakes, and we have to introduce a government amendment.

That's beside the point. My original point was around the fiscal irresponsibility that's baked into the investment corporation. The government wasn't happy with the level of fiscal irresponsibility that was baked into the existing corporation, so they made some changes to enhance the fiscal irresponsibility of that corporation. They increased the number of board members from seven to 11. Now, Mr. Speaker, you may be asking how that speaks to the topic of fiscal irresponsibility, but one of the things that I note in the legislation – and there certainly hasn't been any clarification in any other government communications whether or not these board members will be paid or how much. I expect that these board members will be paid something. It's no secret that the people who occupy the commanding heights of world finance demand a rather generous salary. We certainly see that with the Premier's principal adviser, David Knight Legg. He certainly doesn't do his job of attracting investment to Alberta for nothing and, in fact, has no compunction about sticking the people of Alberta with the bill for his extravagant travel.

We expect that the government will be drawing these board members from the same pool of people from which they drew people like David Knight Legg, so they'll expect to have their expenses covered, Mr. Speaker, at the very least, and they could very well expect to be paid some kind of salary. I expect that the jobs that they'll be taking time away from to commit to this task will be rather high-paying endeavours, so they'll need to be compensated for that. Seven such board members wasn't enough

for the members opposite. They needed to increase that to 11. Nobody explained to us why we need to increase the number of board members on this board by nearly 50 per cent, thereby running up the costs that the people of Alberta will have to pay to this board, probably by up to 50 per cent. We don't know.

More importantly, this government amended the legislation to remove the ability of the corporation to participate in loan guarantees, investment credits, any kind of equity ownership in potential investors here in Alberta and restrict itself to only grants. Now, Mr. Speaker, I can't think of anything that could be more fiscally irresponsible, because they've removed the ability of this corporation to make any kind of investment that would make a return to the people of Alberta. The people of Alberta could potentially profit from equity investments in enterprises that are seeking to invest here in Alberta. They could potentially profit from the repayment of loans that we would make to companies that requested those loans to invest here in the people of Alberta. But no. We've removed that possibility entirely. We've decided that we're only going to give grants to potential investors, and there's nothing in this legislation that actually sets out what conditions those grants will be given under or what kind of investment returns the people of Alberta can see from those grants.

It boggles my mind, Mr. Speaker, that we hear endless tirades from members opposite about how fiscally irresponsible we were, but when we created economic development measures here in the province of Alberta, we made sure that investors came to the table with their money first, before Albertans put their money up and put their money at risk. They're flipping that argument on its head. They say: no; we're going to put up Alberta taxpayers' money first and then cross our fingers and hope that some investor will come forward with some investments that will make a difference in improving the economic situation here in Alberta. I can't think of anything more irresponsible than what this government has done with this corporation.

Thirdly, Mr. Speaker, I think this legislation misses the point when it comes to economic recovery here in Alberta. We could set up 10 of these kinds of investment corporations, and it wouldn't get to the crux of the issue that is stifling economic growth here in the province of Alberta and that is containing the spread of the COVID-19 virus.

7:50

Now, I see that Dr. Deena Hinshaw and the government of Alberta released the new number of cases. We still continue to hit on average a hundred cases a day, Mr. Speaker, and we have sections of the province of Alberta that have higher infection rates than in most American jurisdictions, which we will all agree have significant issues containing the coronavirus. Because we failed to contain the coronavirus adequately, people are still sitting at home with no job or a severely restricted job. People can't work to their full capacity because their businesses remain closed or severely restricted because we haven't contained the virus. I would humbly suggest that perhaps widespread mask wearing might be an idea that we should consider on a province-wide basis. I certainly note that the city of Calgary has implemented a city-wide requirement to wear masks, and the city of Edmonton has implemented a weaker resolution but has also put its voice behind more widespread use of masks.

What's more frustrating, Mr. Speaker, is that we hear the updates from the chief medical officer of health of the number of cases every day, but we're never told where those transmissions have occurred and what we might do differently to prevent those.

An Hon. Member: That's not true.

Mr. Schmidt: I hear the Member for Calgary-Glenmore saying that that's not true, and I encourage her to correct me if she's given the opportunity in this debate. You know, Mr. Speaker, I have looked to see if we have found out where the cases of transmission in Alberta are occurring and what we could possibly do differently to limit the number of cases that have occurred, and there isn't any information out there that I can see. Again, we're going to be here for a long time, so I'm willing to stand corrected on that matter. I hope that the Member for Calgary-Glenmore takes the opportunity, if given, to address this issue. I would be grateful for that.

The most important thing that we can do though, Mr. Speaker, to revitalize Alberta's economy is to reopen schools safely, and we have seen nothing but a colossal failure from this government to do that. They pound their chests and pat themselves on the back and say: what a wonderful plan it is that we've got to reopen schools safely. Here's their plan. It's normal school plus hand soap. That is not acceptable. Since the minister announced her nonplan to reopen schools, my office has been flooded with e-mails and phone calls by the thousands because people are terrified that their children are going to get sick and that they're going to get their teachers sick and they're going to bring that home and get their family members sick, too. [interjections]

I hear the members opposite saying that we're talking about Bill 33, and I would just remind everybody that we're talking about attracting investment and revitalizing Alberta's economy. The most important thing that we can do is open schools safely, and this minister and this government have colossally failed to do that. We are going to see nothing but more sick people and a stalled economy because of their colossal failure to take the issue of school reopening seriously.

Mr. Speaker, in the time that I would have left, I would like to address the issue of investing in Alberta. The minister gave a lot of time to running down our record of economic development here in Alberta. They talked about the number of foreign investors who left, and I would remind the members, of course, that just today, I think it was, Deutsche Bank announced that they are not going to be investing in any more oil sands companies because this government has failed to take the issue of climate change seriously. And that's on the heels of a number of international investors who have decided to pull out of oil sands development here in the province of Alberta because they have failed to address the issue of climate change seriously.

Moreover, the minister and the government don't understand the nature of Alberta's economy when they place so much importance on foreign investment, because if you look at the largest companies that are in Alberta right now, they are all Albertan-owned and -started companies. The top 4 of the 5 major oil sands companies are Suncor, which started out as Petro-Canada; Syncrude, which started out as a government investment; Cenovus, which also started out as a government investment made here in Alberta; Husky, of course, which is now owned by a Hong Kong billionaire but I believe started out in Alberta.

And it's not just the oil sands, Mr. Speaker. You would look at other companies that are operating here in Alberta. I think of the power companies: ATCO, Capital Power, EPCOR. These are significant players in the Alberta economy, and they were all started here in Alberta by Albertans with Albertans investing in ourselves. So any economic recovery plan that this government is putting forward, if they wish for it to be taken seriously, needs to seriously look at promoting Albertans investing in ourselves, like we have done through history and will also be the way forward.

Now, before anybody takes this statement to mean that I am endorsing the Premier's move to take pension funds out of the Canada pension plan and put them into AIMCo for the minister to

invest into his pet projects, I am not doing anything of the sort, but we do have significant financial capabilities and resources here in the province of Alberta that we can start investing in Alberta's own homegrown economy. We have a very talented, hard-working population, we have vast resources, and we have no shortage of skills that we can put to work, but we need the government to invest in our own people. What does that look like, Mr. Speaker? It doesn't just mean, you know, offering investments into homegrown businesses so that they can have the start-up capital to get to work. It also means investing in their education. If we educate the people of Alberta, they will be better prepared to revitalize our economy than we are today.

Certainly, I see the government taking a number of steps in the wrong direction; making massive cuts to our investments in the postsecondary education system, raising tuition. You know, we need to understand that Alberta's economic recovery depends on the ability of Albertans to pick themselves up, and it's up to us as a government to start investing in them so that they can create that economic recovery that we're all seeking.

So, Mr. Speaker, I would like to summarize the points that I have made today as to why I won't be voting for this bill. I think, you know, that this bill is a massive vote of no confidence in the minister. Rather than setting this up, I think the government would be wise to let her go and have somebody else fill that role.

The Speaker: Hon. members, is there anyone else wishing to join in the debate? The hon. Government House Leader.

Mr. Jason Nixon: Thank you, Mr. Speaker. I move that we adjourn debate.

[Motion to adjourn debate carried]

8:00 Government Bills and Orders Committee of the Whole

[Mrs. Allard in the chair]

The Acting Chair: Hon. members, I'd like to call Committee of the Whole to order.

Bill 32 Restoring Balance in Alberta's Workplaces Act, 2020

The Acting Chair: Are there any members wishing to bring forward amendments? I see the hon. Member for Edmonton-Rutherford has risen.

Mr. Feehan: Thank you, Madam Chair. I appreciate the opportunity to speak to Bill 32. I have many concerns about this bill. I have had an opportunity to speak to some of them along the way, but it's always good to have a chance to go over some of the problems that are inherent in the bill and to ask for the government to seriously reconsider the bill given the inherent attack on workers' rights that we see in this bill. I am quite concerned that the intent of this bill is particularly problematic.

The reality over the last many years in western democracies is that there has been an assessment by many societies and governments and so on to look at the issue of workers and whether workers' well-being is protected in the process of their work activities, and the overall focus of western democracies over the last 200 years, essentially, has been to move in the direction of ensuring that workers' rights are well protected.

You know, often when talking to my students about the issue of workers' rights, I would just talk briefly about the fact that this debate has been going on for a long time and has been certainly

supported quite widely, including by the Catholic Church, of which I'm a part and happen to have had an opportunity to study some of the papal encyclicals on work over the last number of years. I'm always very proud to point out that in the papal encyclicals, starting from the mid-1800s on, they have been talking about the necessity of having unions to protect the well-being of citizens. There was an initial encyclical – encyclicals are letters from the Pope – called *Rerum Novarum*, which focused on the rights of workers at the time, and that has been duplicated on four other occasions by Popes who have spoken to the need to have appropriate protections for workers and the necessity of actually having unions specifically identified.

I'm just pointing that out – and people don't need to share my faith at all – in that this is an old discussion, not a new discussion, and it's been on the record for many years. The concerns that have been repeated over and over again by the people who have studied these things that are spoken to in Bill 32 are that there really is an imbalanced relationship between employer and employee just in terms of the factors which contribute power to decision-making in employment situations and that workers really only have a single power. That single power is their labour. If their labour is taken without due compensation, then it is truly a moral problem. It is a concern that leaves us wondering whether or not we're headed in the right direction.

Now, the reasons why I'm concerned about Bill 32 are that the whole emphasis of the bill is shifting power away from the worker to the employer in a variety of ways. That makes it very difficult for employees to have their needs met in an appropriate way, and that's the issue that I think we need to spend a little bit more time talking about.

Now, in the past I have gone through the bill in a number of ways to look at individual sections of the bill and the problems that are inherent, the problems such as the creation of boards that can make a significant number of decisions that they previously couldn't make, that the boards can make those decisions alone, that those boards can summarily change conditions of employment for workers and, in fact, can make decisions about a variety of aspects of the employment contract without even going back to arbitration. I think that this is a particular problem here.

We know that there has been a particular emphasis – and it's been identified by the Government House Leader – that this bill is very much focused on the issue of union dues. I suggested it the last time I was in the House speaking to the bill, so I think we should spend a bit of time particularly looking at the issue of union dues given that the only power that a worker has is the power to either apply his or her labour or to withdraw his or her labour. It is very important, then, that we look at the mechanisms by which he or she can do that, can apply their labour or not.

We know that if we reduce workers to the situation where they only have an individual right to choose to apply their labour or not apply their labour, then they have almost no power at all, because individuals can be fired, can be transferred, can have consequences in terms of their supervision, have consequences in terms of their evaluation, and so on. They stand very little likelihood of being able to speak to the issues that are of concern to them individually.

As a result, there has been wide support, as I mentioned earlier in my comments, for the idea that workers need to have the right to join together, to establish a group, a collective that will come to the place of being able to meet with an employer on some level of balance in terms of the amount of power that they bring to the negotiations so that indeed they are, in fact, negotiations. One worker refusing to engage in work can easily just result in a firing, but all the workers refusing to engage in work leads to the necessity for the employer to have a conversation and try to find a negotiated

middle-ground position in which they are able to satisfy the concerns of the worker and, at the same time, establish the basis for their own activities as an employer.

This particular right has not only been reinforced, as I say, by writers for the last few hundred years on the subject but by the Supreme Court of Canada, who has indicated that workers do have a right to collectively argue on their behalf. If we are going to recognize that Supreme Court decision that says that unions do need to be recognized, we also need to make sure that we are recognizing what it is that the unions are doing. You can't simply recognize a union but then give them no rights at all. That would be a hollow victory, and we know that the Supreme Court has also made declarations on that as well, that you cannot ascribe to a group of people a right but then define the right in such a way that the rights themselves are actually taken away. In other words, you cannot say that people have a right to join a union, but the union has no power to do anything on their behalf. That's, I think, the issue at hand here.

8:10

In Bill 32, while we continue to allow unions to exist, we are taking the right of workers away to have their voice heard in an appropriate way in the discussions with the employer. We can see that because we can see that the government is giving the power to directors to make all kinds of decisions outside of union contracts, giving the power to directors to make decisions about things like holiday pay, vacation pay, number of hours worked, changes to the number of rest periods that are existing within a period of work time, and all of these things. I think that it is problematic if we are removing all of that. It's contrary to the intent of the Supreme Court decision on the existence of unions and the rights that unions actually have power to negotiate on behalf of members.

Now, the way the unions do that is the thing that the Supreme Court is saying that we need to protect, and the way that unions do that is that they ask their members to contribute financially through union dues to the activities of the unions. Now, fortunately, unions in this country have been set up along the lines of a very democratic process; that is, the union members can vote for the people who head the unions. They can vote them out if they don't like the people that are heading the unions and the practices that they engage in, and they can review the financials of their union and vote for or against the financial arrangements that the unions have established. Furthermore, they can vote on the part of the financial statement that talks about the union using their union dues for various activities that are important, sometimes specifically related to the job site and sometimes related to the larger issues that unions care about.

Now, we know the government has often stood up – and they just did on Bill 33 – and talked about creating a situation or a climate in which the work happens for businesses. Well, the same is true of workers. They aren't just concerned with the conditions of how many washroom breaks they get or even the amount of pay they get; they're also concerned about the conditions for workers in society. That means that they are concerned about issues such as climate change and how it might affect their future employment. They're concerned about issues like health care and how it might protect the well-being of themselves and their families. And they can choose to ask their unions to take actions on their behalf on those kinds of issues because it really does make a difference in terms of their well-being. That's a democratic process.

Now, sometimes, of course, union members will be on the losing side of a democratic process. Sometimes union members will vote against a particular article within spending, and their side won't win. But that's the nature of democracy. It's very much the same as

we have here in the House, that people vote for a government. In this case the UCP won the election, so they make the rules, and they move forward. While we might challenge them here in the House, so far they haven't accepted a single variation to any one of their bills, so we know that they are acting in exactly the way that they are now prescribing the unions should not act. This is very problematic.

I know thousands of people who would love the opportunity to say to the government: I don't agree with the decision you made, so I don't want my portion of taxes going to that particular thing. In this case, in this Bill 32, the government is saying: we agree with that thinking. But they are not saying that with regard to their own budget, which they have failed to present here in the House, by the way, and I think that that's really problematic, because what is good for the goose is also good for the gander. If the government is able to say, "We can institute policies based on the fact that we got a majority" – and we have all heard that they got a majority, a very large majority, dozens if not hundreds of times since the government has been elected, something which they're very proud about. But they refuse to acknowledge that union leaders are also elected, also typically win with significant majorities, and also therefore have the right to present budgets, which are subsequently voted on by members. All of that has been taken away from others but not from the government themselves. I think that that's very problematic, when your philosophy of democracy is so inconsistent that you would allow this to happen.

I think it's unfortunate that sometimes union members' dues are used for things they don't particularly wish to have them used for, but that's a democracy. I certainly feel that way with my taxes, and I certainly have been part of other organizations that used money in a way that I didn't completely support.

However, I really do believe in democracy, so at those times when I have lost, I take it on the chin and I say: that's unfortunate; that's too bad. I may even be upset about it or angry about it at the time, but I certainly don't try to defeat the democracy in order to get my way because that wouldn't be a democracy at all – would it? – if you always removed the democracy every time you didn't get your way. Yet that's essentially what this government has chosen to do in Bill 32. I think that that's very problematic, and I would like to see the government go back and think about the particular changes that they made and think about the implications they have here.

For example, they have suggested in this bill that it's not good enough for members to come to their AGM and to see the budget and to ask questions about the budget and to vote on the budget like every other organization I've ever belonged to. At every nonprofit organization, every institution I've ever worked for, that's how it's done, but in this one case we have the situation where, because this government doesn't like unions, they're taking away the process that is used by all other institutions in the province. When I was at Catholic Social Services, that's what we did. We presented the budget once a year to our members, and they came and they voted on accepting or rejecting the budget. When I was at the university, we had opportunities to review the budget for our faculty and to vote on which way it went.

In this case that's exactly what they're taking away from members of the union here, and it's giving powers to other people, not the union, to make decisions for things. It's giving powers to the board to adjust "the timing and frequency for the setting or charging of... dues [and] assessments." They can't even democratically vote on the dues that they're going to contribute now. That power has now been shifted from the union members to a government-appointed director. How is that democratic?

I'm very concerned that in the situation with all other institutions, you go into the AGM and you vote on the budget. But in this case they're being told: you can't simply have people come to the AGM and get a copy of the documents and vote on them; now everybody must be given a written copy of these things outside of the AGM. What's the purpose of that? How does that change things here in this situation in a way that would make them different from all other institutions? Nonprofits don't have to send every one of their employees a copy of their budgets ahead of time.

What will happen here, though, is that then makes the private information of the union publicly available to the employer so that the employer will now know exactly how much money is in the strike fund, for example, and that will, therefore, affect employer decisions. Not only that, but if a union member decides to opt out of some of the union dues under this new bill, that will be reported to the employer, so the employer will know which of their employees are opted in and opted out. If you don't think that's going to affect evaluations, if you don't think that's going to affect promotions, that that's going to affect a variety of other activities that occur every day to day, you're fooling yourself.

We know that some employees will start to be deemed as good employees who are not causing trouble, who are opting out of the larger work that the union is doing, and they will be pitted against those bad employees who actually care about the society in which they live and seek to make changes not only in terms of their specific working conditions but the larger, global working conditions of their union and all of their brothers and sisters. I think those kinds of changes are very problematic. Having reviewed some legal assessments of Bill 32, I have found that there is a suggestion that this will be a clear violation of the freedom to associate.

Thank you.

8:20

The Acting Chair: Thank you, hon. member.

Are there other members? I see the hon. Member for Edmonton-McClung has risen to join debate.

Mr. Dach: Thank you, Madam Chair. I'm pleased to rise this evening to speak to this rather offensive piece of legislation and offer my comments and perspective on it. I'd like to start by saying that this government seems to pride itself by claiming to have great respect for all Albertans no matter who they are, all races – black, brown, indigenous – all religions, socioeconomic backgrounds, all educational levels, any gender, all newcomers, refugees, people who were born here, professionals, tradespeople, mothers, fathers, students, young people, seniors, children, able-bodied, those with disabilities, the list goes on.

But when a person in this province decides they wish to join a union or happen to be a member of a union already, they all of a sudden become an enemy of the government. That's an attitude that permeates this piece of legislation, Bill 32, because it seeks to target those individuals who seek to become union members or who already are union members – and unions themselves – as somehow less than equal citizens. They are becoming targets of the government, and this legislation squarely has its sights set on making union membership and the organized labour movement a thing of the past in this province. If indeed they could get away with it, the government would, with the stroke of their pen, attempt to eliminate unions right off the bat.

However, they're rather insidiously doing it by a thousand cuts. This is happening quite brazenly in front of us, Madam Chair, and without apology from this government. I don't know what school of thought exactly this may be coming from or emanating from. I've

hearkened to this before: any student of western democracy will know that a fundamental pillar of that democracy, if it's healthy, is the ability of organized labour to freely organize and to actually challenge the government and have a voice readily able to challenge the government on issues of the day and to represent the voice of working people freely and on an equal footing with government, rather than to be put in the crosshairs of the government as an enemy of the state and something to be countered every step of the way.

The government seems to forget, Madam Chair, who actually these union members are. Many of them, actually, maybe even still are union members themselves but somehow forget exactly what the fundamental basis of organized labour is all about. It's a poor example of how we should be understanding a major portion of our society. Unions are a critical element to a healthy democracy, as I've said, and those individuals who happen to be involved in business on the other side, whether they were running a business which had a labour movement or organized labour or union, or whether or not they simply were in the private sector, will know that the ability of an employee who may have a grievance or a concern with their employer to come forward and bring that without reservation and without fear of reprisal to an employer is greatly enhanced when, in fact, they have a representative, organized labour.

It hasn't just occurred out of thin air. Organized labour and the labour movement have developed over the course of decades. We of course celebrated in 2019, this last year, 100 years since the Winnipeg General Strike, which established the labour movement and organized labour and the ability to freely have the right to organize in this country over a hundred years ago.

[Mr. Milliken in the chair]

It unfortunately caused the deaths of a number of workers who came to that city square to demand that they be treated as human beings, and 101 years later this government in the province of Alberta, I'm ashamed to say, is treating our labour force, those individual human beings, who they espouse to be the great respecters of, as less than human. They're some kind of a subspecies, the way this government seems to be operating in terms of Bill 32, where they talk about restoring balance. They're doing nothing of the sort, Mr. Chair.

This whole piece of legislation is designed to smash the ability of organized labour to organize themselves and to operate and to function as a pillar of our healthy democracy. It behooves all Albertans to be aware of this. I know that this piece of legislation is one of those that the attention of Albertans is focused on right now, and it's not something that this government will be able to get away with without penalty. When you go and attack such a large element of our society, it's not something that Albertans let go lightly. The organized workforce, those who are unionized here in the province of Alberta, the number – correct me if I'm wrong – I believe is around 25 per cent of the workforce that are union labourers, and that's a significant population group in the province. That represents the breadwinners of a whole lot of families in Alberta. To be willing to disenfranchise those individual workers and those families and to disavow them of their rights to represent themselves and be represented by their union leadership in the province is a disgrace, but it's not something that's going to be let go by any of the members of this side of the Legislature or of the labour movement as well.

We will be looking towards making a number of amendments to this legislation, Mr. Chair, to try to improve it. The best thing that could be done, in my humble opinion, would be to completely withdraw it and leave in place the measures that we brought forward

to make it easier to join a union, to improve the ability of organized labour to operate on a level playing field with the business community, with the employers because that's when you end up having a healthy environment for negotiations and long-term relationships, when both parties have an equal footing and there is actually balance in the relationship. This legislation goes a long way to breaking what we attempted to do, which was to bring a little balance to the relationship, when we were in power in 2015 to 2019.

The government claims to have great respect for the individual working people in this province, but this legislation belies that fact. It's the opposite of respect when you go ahead and tell an individual union member that they're not going to have the same rights that they enjoyed before, to go ahead and allow their union to advocate on their behalf.

I was terrified for workers in the Cargill plant most recently, Mr. Chair, when against the clamouring of UFCW 401 the government failed to listen to the union leadership. It was a reflection of the total lack of respect that this government has for unions in general. Where that was born – I have yet to find the well that that's crawled out of, but it is a horrific attitude to have, and it belies a total lack of understanding of the human dignity that the labour movement offers to its membership when they are able to organize freely in a democratic society.

We have different pillars of democracy in our country, in the western democracies, Mr. Chair. Of course, we have the legislative branch of the government. We have the judiciary as well. We have the electorate itself. We have a free press, ostensibly, although this government is hell bent on attacking that as well.

8:30

On top of those pillars that I just mentioned, freedom to organize and form a union is a fundamental right that this government would just as soon do away with if they could get away with it. That is a pillar of our democracy that I think we all let go at our own peril because if indeed we start chiseling away at that fundamental right, we will see that the only pillar left is the government pillar, and that, Mr. Chair, is what we're seeing in a number of democracies in the world where a populist movement has seriously begun to erode the ability of organized labour and a free press to operate.

You know, we see things in Hungary, for example, where they've just in the last couple of days had thousands of people in the streets to demonstrate against the loss of a major news media outlet that the government has seen fit to disband. The same type of attitude seems to prevail here in this country when legislation that seeks to prohibit dissent of any type is insidiously being implemented right in this province.

Part of that onslaught against democracy in our province is this Bill 32, which is a piece of legislation that is so counter to my being that it makes me want to scream. I hope the government is hearing the screams of Albertans along with mine, who say: "Don't you dare. Don't you dare think that you're going to get away with this." Well, I mean, the government members, the Government House Leader is laughing and chuckling away. He thinks that he's got things in the bag and that he can keep chipping away at our democracy with impunity. You know, if indeed that's the way that he wants to operate, so be it. He will be so snide at his own peril.

I'm a son of a union carpenter. I joined three unions myself in my working career before I was in the private sector selling real estate, but those three union jobs, Mr. Chair, put me through university and allowed me to better my station in life. I was a member of CUPE local 30, where I drove a little garbage truck for the city; I drove a DATS bus, was a member of the Amalgamated Transit Union; and I was with UFCW 401 when I worked in a packing plant. All of those labouring jobs I did proudly as a union member, and I had the

backing of union representation during labour negotiations, and I had wages and working conditions that allowed me to make a decent living and put some aside so that I could afford to go to university and better my education.

That's exactly the type of things that unions will fight for, better working conditions, the ability to have a pay scale that is beyond hand to mouth that allows an individual family member to better educate their children and to be upwardly mobile in our society, and that's what every family wants. The power structure that exists in our country is something that, if it's going to function properly, needs to be in balance, and it wasn't and hasn't been in balance for most of my adult life in this province. It's been out of balance, and we sought in 2015-2019 to bring it to some form of balance.

I must say that I thought we did it rather gently, but nonetheless we did what we could at the time to make it a simpler matter for a union to organize and to make sure that it did so in a way that it wasn't so easily interfered with by an employer who was dead set against having a union in their workplace. Much of what we managed to accomplish is being stripped away by this piece of legislation, and the government members are quite happy to do this.

I can't help but wonder how they must feel towards looking in the face of, say, my late father and telling him that this is good for him, this would be good for his family that he was being denied the rights that his union organization had when he joined his carpenters' union to fight for better working conditions and better wages over time so that he could feed and care for his family. I hesitate to think what indeed he might have told this government, had he been alive today, when they tried to foist upon him the arguments they're making in Bill 32, that somehow working people don't deserve to be treated with the respect and dignity, if they decide to join a union, that they otherwise would get from this government.

The working people in this province are really feeling that they're under attack. It doesn't matter what field you happen to be in, whether it's in construction, certainly in health care. You know, we've got a situation where the government is telling our nursing professionals that they're real heroes, but come October you could be a zero because they're going to end up turning their contracts into dust, just like they did with the doctors.

They'll do it without remorse because they have no respect for individuals that are willing to oppose the government. That's not a healthy sign to see in a government, where the government of the day decides that a certain sector of the society is an enemy of the government simply because it was willing to stand up to it and simply because they wish to become an active voice in a union movement or even start a union in the first place in their own particular workplace or create a job action or advocate on behalf of their workers.

But I will never forget in my life, Mr. Chair, the deaf ear this government turned towards UFCW 401 in Cargill, where they disallowed the ability of the union to actively go in the plant and where they accepted a video tour of the plant and wouldn't listen to what the union members were saying as increasing numbers of infections grew in the plant from 38 in one week to two or three weeks later we had 1,500 infections, and three people had already died. Unforgivable action or lack thereof on the part of this government in the face of a pandemic that was growing, where those workers needed the support and the backing and the compassion of their government, but they got nothing but the back of their hand. That's unforgivable, what happened in that packing plant.

That's something that I'll continue to bring forward in this Legislature time and time again because 1,500 people didn't have to be sick. It was the attitude of this government towards unions,

towards their ability to advocate that contributed to that huge number of people who got infected in the Cargill meat-packing plant. I will never forgive this government for allowing that to get out of hand and for expressing the attitude they did towards the bona fide, duly elected union representatives to participate and advocate on their behalf. That's the kind of attitude, Mr. Chair, that is reflected time and time again in the very bits and pieces of this horrific piece of legislation, this Bill 32, that claims to restore balance in Alberta's workplaces but does nothing of the sort.

I don't know what more to add as far as adjectives to describe how I feel about the matter. I know that when I go home to my constituency and I end up talking to folks in the drug store, the grocery store, they are confounded as I am, asking just what in the world this government thinks they're up to and how they think they can get away with it or who do they actually think they're representing: "They don't care about us? Like, we're actually the people of the province. We're the Alberta voter."

They seem intent on the government side to think that the only way we're going to find a healthy economy is by making sure that we've set the table for business. Well, tell you what, Mr. Chair, the table happens to have a lot of chairs around it, and that table includes the representatives of working people, and the government has taken those chairs away and said: you don't belong.

8:40

The Deputy Chair: Thank you, hon. member.

On Bill 32 I see the hon. Member for Edmonton-Ellerslie has risen to debate.

Member Loyola: Thank you very much, Mr. Chair. It's an honour to get up and speak to this bill and specifically defend the rights of working people in this province since this government is hell bent on attacking them. Of course, we're talking about people who live paycheque to paycheque in some circumstances. You know, especially right now, during this pandemic, working people in this province are finding it incredibly difficult to make it from one paycheque to the next. There are some people who have just been laid off and just completely lost their job as well. I find it heinous that this government would introduce this bill at this particular time under this, the context of COVID, where it's actually stripping workers of specific rights at a time when they need those rights the most.

You know, I remember when I was working at the University of Alberta and had the honour of serving the working people of the University of Alberta through the Non-Academic Staff Association as their vice-president and then president. I was always proud to get up and say that I come from a working-class family because we were working – there's nothing wrong with dedicating yourself, working for an employer. I mean, I get it. Like, there's a wide diversity within our economy of people that we need that are instrumental to making the economy function. Yes, we need entrepreneurs. We need people to create businesses. We do need a certain level of foreign investment in order to make it all happen. But the backbone of this very economy, Mr. Chair, is indeed the working people of this province. These are the people that we in this House should be here defending their rights and making sure that we're not stripping them of their rights, particularly in a time like right now, under the current pandemic, and how it's affecting people in this very province.

I want to reiterate something that was stated by the Member for Edmonton-Rutherford. I've said it before in this House, but I'll remind this UCP caucus once again that unions, Mr. Chair, are democratic institutions. Every aspect of a union: the members of the union have the opportunity to voice their opinions and then vote

on particular aspects, including the budget of the union. Now, as was stated by the Member for Edmonton-Rutherford, there are going to be times when certain members are going to be against a particular aspect of the budget, but – guess what? – it's a democracy.

It's like if you were to say: okay; well, you don't have to pay for that certain section of the budget. I'm sure we probably all remember that kid – maybe you didn't have this opportunity, but it happened to me quite a number of times. You know, being on a soccer field, playing soccer as a kid, and the one kid is like: "Oh, well, you're not going to follow the rules the way I want to set them? Well, then, too bad. I'm taking my ball, and I'm going home." You can't do that in a democracy, Mr. Chair. This is a democracy, and just like here in this province we respect the democratic process, we also need to respect the democratic process of democratic institutions like unions that represent the interests of working people here in this province. We don't get to say: well, you know, we're all for democracy when it suits us, but then we're totally and completely against it when it doesn't suit us. This is what we need to do moving forward in this province together. We need to make sure that we respect democracy at all times and the principles upon which our democracy is founded. But, see, that's not what's happening with this UCP government.

You know, I can go into the fact that with almost every bill that has been introduced in this very House with this UCP government being in charge, they're taking the power out of the hands of Albertans who represent us on agencies, boards, and commissions, and they're putting that power in the hands of ministers. That doesn't sound very democratic to me, when you have institutions where you have these agencies, boards, and commissions that actually help the government do its work in the service of Albertans and you're taking the power away from those very agencies, boards, and commissions and you're putting more and more and more of that power in the hands of the ministers, the cabinet along with this very Premier. This is, to me, incredibly antidemocratic.

Like that, here we go with Bill 32. They're not satisfied with the fact that people should have a voice. At the end of the day that's what the union is. It's a voice for working people of this province. I believe it was the Member for Edmonton-Decore who reminded us that only 24 per cent of the working people of this province are actually in a union. Twenty-four per cent. Actually, it was the Member for Edmonton-Glenora, now that I remember correctly. It was the Member for Edmonton-Glenora who reminded us that it's only 24 per cent, and that's way below the Canadian average. When you compare us to other jurisdictions across this great country of ours, we're way below the average with only 24 per cent of the working people of this province that are actually represented by a union.

When the members opposite get up and talk about the Alberta advantage, they're trying to – and, you know, this is what I find unfathomable, Mr. Chair, the fact that the minister of labour has the audacity to get up in this House and say: oh, no, we're only returning us to a place of balance. Well, that's what we did, Minister, when we were in government. When you did a crossjurisdictional of all of the aspects as they relate to labour, we were way behind the curve when you compared us to other provinces across this nation. The now Member for Edmonton-Mill Woods, who at the time was the minister of labour, I remember that she worked so hard. It wasn't about trying to make us quote, unquote, into this socialist paradise. The members opposite get up, and they use that word "socialist" to denigrate us. They all have their big chuckle: ha ha, he used the word "socialist." It's like: oh, my goodness, how childish.

This is about ideas. This is about ideas, and it has to do with the rights of people. In this particular instance we're talking about the rights of working people of this province and that they should have a voice. They should have an opportunity to collectively come together and speak up for their particular rights, sometimes as they relate to international agreements. International agreements. Then you have their constitutional rights, which has been spoken about a number of times by members on this side, by the opposition. We're talking about constitutional rights as they're respected under Canadian law. This government would have us turn our backs on those constitutional rights of working people here in this province. They actually have the right to be in a union, and that union has the right to actually protect the interests of the working people here in Alberta.

8:50

I wanted to go into more specifics here about this bill. The reality is that this here piece of legislation is actually amending six pieces of legislation. It's amending the Employment Standards Code. It's amending the Labour Relations Code, which is the majority of what we have before us. It also amends the Police Officers Collective Bargaining Act, the Public Education Collective Bargaining Act, Post-secondary Learning Act, and the Public Service Employee Relations Act. I want to just touch a little bit on bargaining. You know, perhaps some of the other members on the other side have never been part of a union, haven't been through a bargaining process, so they may not understand how it actually works. Let me shed a little bit of light on that.

You know, every so often, depending on the agreement that exists between the employer and the union, they have this opportunity to enter bargaining once again. That's what I can speak to because that's what I actually lived when I was president of the Non-Academic Staff Association. We went back to the members of the union. We said: look, this is the reality that we have before us. Now, there are kind of two main aspects of collective bargaining. There's remuneration, or then there's the actual benefits that you get with your contract with the employer, okay? So you can work on both sides of that. If the members are willing to forgo an increase in pay, then they're definitely going to want some more benefits out of the process, the collective bargaining process. This is what I'm talking about. You go back to the membership. We actually did a survey with our members when we were going through this process so that we could be informed as the – oh, and just so you know, let me take one step back.

As the president of the union I wasn't actually on the bargaining committee because I wanted members of the union themselves to feel like they had the opportunity – I'll stress: the opportunity – to participate on the bargaining committee on behalf of all of the workers of the Non-Academic Staff Association. I actually forwent – people were like: "No, you're the president. You should actually sit on the bargaining committee." I was like: "No. If it means that someone who's really interested in wanting to participate on this bargaining committee will have the opportunity to do so, I will step back. I don't need to be on the actual bargaining committee." Then we put it out to the entire union: who would like the opportunity to actually sit on this bargaining committee? And then there was an actual vote so that the members of the union actually voted for who was going to represent them on this bargaining committee. See how democratic it is? Do you see how democratic it is? It's not just one person making all the decisions for everybody the way that it's kind of painted across the way, where it's some union boss making all the decisions. It doesn't work that way, and to represent it that way is false.

Getting back to it, the members of the actual bargaining committee were elected to those positions. Then it was their

responsibility to do a full consultation with the membership as a whole on what the members of the union actually wanted moving into this bargaining cycle. They actually put out a questionnaire. There were a whole bunch of questions. The draft of the questions was given over to the board of directors of the union. There were eight of us that were on the board of directors: myself being the president, vice-president, treasurer, secretary, and then a number of members at large, chairs of committees. Eight or nine of us in total. I can't remember the exact number at this time. We read over the draft of the questions that were going to be sent to the membership. We made some recommendations. It was a thorough process.

Then those questions, that survey, actually went out to all the members of the union. At that time we were representing about 4,900 and some members; 4,900 people had the opportunity to fill out a survey. I'll be honest with you; not everybody took the opportunity to fill out the survey, and that's what happens. Sometimes you send it out and not everybody answers, but we actually had a 68 per cent response rate on that survey, I remember, that year. Actually 68 per cent of the members of the union gave feedback through the survey on what they wanted the collective bargaining committee to actually work on as we went into the next round of bargaining.

So it's not one person that makes all the decisions on behalf of the entire union. You have a great number of people who are actually involved in the process and are providing feedback. Then when you finally go into bargaining with the employer, you're going in there with a good understanding of what it is the workers that you represent actually want. This is the reality of how bargaining takes place. Now, I'm going to say that perhaps it's different in different unions. There are different aspects of how they go through the entire process, but for the most part this is how it's done. It's really important that we respect that because this is their democratic right to do so. Again, what we're here, on this side of the House, getting up and speaking about is defending those actual rights that workers have, their constitutionally protected rights that they have as being part of a union.

Now, again I'll go back into the budgeting aspect of it. Of course, every year there's a new budget set. Actually, in the Non-Academic Staff Association the treasurer had their own committee. This was something that I was really proud to make the suggestion of. I wanted more members providing input for the actual budget of the union, and it wasn't just the board of directors, not just the president, vice-president, et cetera. I encouraged the treasurer to go out there and identify more members of the union that would be interested in the actual creation of the budget of the union. This particular treasurer that was on at that time did find more members and had a committee of three others plus themselves that actually worked on putting the entire budget together.

By this I want to stress that there is no lack of opportunity. There's no lack of opportunity for members of unions to actually participate in their union. It's encouraged. It's absolutely encouraged. If you want to get involved, there are opportunities to do so. You can participate on the committees. You can participate on a number of aspects of the union. In this particular case, that committee put together a budget, and it brought it to an annual general meeting of the membership with the membership.

9:00

I'll never forget. We spent about 45 minutes picking that budget apart, with members getting up to the microphone, you know, those who were for a particular aspect of the budget and those who were against a particular aspect of the budget. Everyone had the opportunity to get up and say whether they were for or against a particular line item in the budget. But, at the end of the day, there

was a vote. You voted on all of these aspects of the budget, and then the final budget was approved, all done democratically.

The Deputy Chair: Thank you, hon. member.

Are there any other hon. members looking to join debate? I see the hon. Leader of the Official Opposition.

Ms Notley: Thank you very much, Mr. Chair. I'm pleased to be able to begin the conversation, mine, in Committee of the Whole with respect to Bill 32, An Act to Completely Eliminate Anything Bordering on that which Might Be Characterized as Balance in Worker and Employer Relations, or something like that. This is a bill that, as members in this House would have heard from many, many different people, purports to make a significant number of changes both to the rights of people who are in unions or who want to be part of unions as well as to the actual amount of money that exists in the pockets of all workers and, in particular, those workers who are not in unions.

There's a whole bucket of changes that are very much geared towards taking money from waged working people and having them live on less, and then there is, as I said before, another set that's very much focused on attacking unions, who would otherwise attempt to represent those workers, who are being asked to work for less in more dangerous circumstances for longer hours and all those kinds of things. It is, in totality, of course, then, quite a dramatic attack on regular working people.

Just to mirror the comments made by my colleague, let's be perfectly clear. The province of Alberta has a long history of not having balanced labour laws. It's well known. We endeavoured to change it, and most observers, most experts in labour law looked at the package of changes that we made when we were in government and said: yeah, they brought the province forward quite a ways. It's not the most progressive labour legislation in the country. It is not actually cutting-edge on a number of critical fronts that labour unions would have liked to have seen, but it definitely brings Alberta into the mainstream and a little bit ahead of the mainstream on some critical issues that we were actually very proud of.

By no means was there this massive, dramatic tipping of the scales away from employers or anything like that. That's utterly ridiculous, and there's not a labour law expert anywhere in the country who would ever suggest that that was what happened. Quite the contrary.

Alberta had a very, very different regime with respect to labour law and relative to the rest of the country in that it was very antilabour and antiworker, so much so that it had developed its own case law and its own sets of precedents around the relationship between working people and the rest of the law that applied to workers across the country such that, you know, people – the Supreme Court of Canada and others – when looking at decisions coming out of Alberta, would say: well, this decision came from Alberta, and we all know that Alberta authorities, when it comes to labour law, are very much unique to Alberta, so we're going to actually probably not follow those authorities in most other parts of the country because they are so imbalanced. You see commentary like that by judges throughout the country, including at the Supreme Court of Canada.

In fact, that was so significant that one of the things that we did do when we changed the legislation back in the day was that we added a clause to compel, you know, arbitrators and Labour Relations Board adjudicators to actually adhere to the national labour jurisprudence and precedents so that we could start to close the gap between what Alberta workers could secure in terms of their rights in front of the courts in Alberta relative to what would be secured by working people in front of the courts in other

jurisdictions across the country. We didn't put in a clause saying: oh, you know, Alberta has to have its own worker-friendly amount of jurisprudence that always puts the worker ahead. Oh, no, no. We said that Alberta simply needs to note the judicial consensus on labour law issues that exist outside of Alberta in the rest of the country. Simple. Not a sign of being grossly imbalanced, just a sign of catching up with the rest of the country.

Of course, that's one of the clauses that this bill removes. Inherent in that decision to remove that is, of course, the admission that Alberta is out of step with the rest of the country and that we need to aggressively move the balance back towards employers, where it has always been for, well, probably since the inception of labour relations adjudication in labour law. So, just to be clear, that is very much the context within which this bill exists. It is nothing about balance. It's all about picking winners and losers, and in this case, in this UCP province, the losers are working people.

Now, the one part – there's so much of this bill that I look forward to being able to talk about over the course of however much time the government deigns to let us speak about it – the one piece that I'm going to focus on in the next 15 minutes or so is this ridiculous argument that we keep hearing from the members opposite about why it is they are, I would argue, abusing the authority of this Legislature in order to gag the free speech rights of working people, that they had guaranteed to them through the Constitution of Canada, why it is that we are using this Legislature to do that. Bear in mind that what we see here is an example of this Premier making very, very involved, thoughtful, strategic progress towards silencing his opposition. That's what we see here.

Now, the Premier likes to argue. He likes to cherry-pick. I mean, you know, props – it's very rare that I say "props" – to his issue management team because most of the time they give me nothing but hours of gleeful entertainment reading them and watching them sort of cook their own goose over and over and over again. I have to say that I've never seen a more sort of Keystone Kops collection of outcomes. I would never personally say that about humans but certainly about the outcomes that come from the Premier's issues management. They are certainly very entertaining most of the time.

But I'll give them props on this one. They did do their research. They went off, and they found some rather objectionable and in some cases offensive statements made by people who also happen to be union leaders. They then decided that they were going to build a whole campaign around this and say: we must protect workers from the statements of these union leaders. Now, in most cases the union leaders aren't actually from Alberta, just to be clear; they're union leaders that live in other jurisdictions. Nonetheless, they do engage in that argument.

Now, that being said, as members here might have heard and, of course, as anyone who has watched the conversation on social media and other places would see, you know, many people say: "Well, okay; if union members can," as the Member for Edmonton-Ellerslie pointed out, "take their soccer ball and go home and therefore break the collective strength of the union in the process, if we're going to give union members that right in the name of democracy and free speech, why are we not giving the same right to shareholders?" The Premier guffawed, and he said: well, shareholders can just sell their shares as opposed to union members, who would have to quit their job.

Well, quite frankly, in many cases shareholders can't sell their shares, just to be clear. For instance, right now I'm going to bet that 9 out of 10 shareholders do not want to be selling their shares, and it would be a rather unwise move for anyone to be selling their shares. That is actually kind of a bogus argument.

9:10

In addition, there are, as the Member for Edmonton-Ellerslie pointed out very clearly, a number of mechanisms well before quitting your job to deal with a union leader who says something with which you disagree. Unions are exceptionally democratic organizations, and they have multiple forums within which people can have their views heard. Multiple forums.

But let's just carry on with the analogy a little bit. If we were really worried about democracy – and members opposite are thinking: well, you know, probably 55 per cent of those members of the union disagree with what that union leader just said, and only 35 per cent of that union agree with what the union leader said, and therefore that 55 per cent must be able to withdraw from the union that very moment and pull their dollars. So 55 per cent, 35 per cent: where have I heard that percentage before? Oh, wait. The provincial election. Right. Okay.

In a union at least every year the union members have delegated conventions at which they review their finances, and any member of that delegated convention, which often involves thousands and thousands of people, can ask questions of the treasurer about what's in that budget and why it's there, and they can then just randomly propose motions to amend the budget. Well, can we do that in Alberta? Hmm. No, we can't. Why? Well, because, first, we haven't actually had a budget based on real numbers since November 2019, and when they did bring in a budget that didn't include real numbers by the very admission of the Finance minister, what did they do? Well, rather than be fully held to account for the fact that the budget consisted of a whole bunch of numbers that weren't real, they brought in an incredibly unprecedented and historically heavy-handed set of rules to limit debate on the budget and to cut it in half. I've got to tell you that I haven't seen that in a union.

Now, the other thing that happens with unions is that members have the ability to go to the Labour Relations Board if they feel that the job that the union is supposed to be doing for them is not being done. But there's no place for anybody to go to say: "Hmm. The Premier promised jobs, economy, pipelines, but we've lost 55,000 jobs, we have a pipeline to nowhere, and the economy is shrinking. Who is going to reach in and hold him accountable? I guess not anybody." But, hey, the Premier is the massive saviour and fighter for democracy. I would suggest that that's not actually correct and that the arguments that the members opposite make are rather disingenuous at best. They are disingenuous rhetoric that is of the most cynical way.

Now, I've mentioned before that what you do actually see from unions is a lot of advocacy for things that relate to the benefits of their members, as is contemplated in the whole labour relations regime and as is contemplated in the series of rights that make up the constitutionally protected right of unions collectively and individually to exist in this country. They do that. Of course, you know, what they do talk about in many cases are things that impact their members, but that would be barred by the gag which is in this act. We could also, I guess, rename the act An Act to Gag Union Workers. But I thought: what the heck? Let's just see. Maybe the Premier is right. Maybe unions are out there doing nothing but promoting dictatorships in other countries to the exclusion of all of the things that their members need done.

Now, members here might not know, but I'm actually a proud member of the United Steelworkers. I'm one of the few people that gets a lifetime membership, and I was very proud, actually, to be the first Premier of Alberta to have my lifetime membership hanging on the wall of the Premier's office and to take pictures of it. I'm a proud member of the United Steelworkers. So I decided to start with my own union. I thought I'd just go through randomly,

and I have to say to the members that this is absolutely random. I just did this five minutes ago while I was waiting to speak. I went to their website, and I went: let's see what their releases and advisories are saying. So here we go. Here is this horrific attack on the rights of working people, this antidemocratic attack on the rights of working people and the desire to bring in a socialist dictatorship. Here we go.

First one: Government Must Act Now on Occupational Cancer Claims. That one was July 24. July 22: Governments Must Act Now to – wait for it – Address Women's Inequality. Oh, my Lord, we need to shut them down for that one. How dare they? How dare they? Number 3: oh, Steelworkers Union and Gateway Casinos Sign Return to Operations Agreement for Ontario, July 10. July 10 as well – oh, this one; thank goodness we have this legislation. Thank goodness we're never going to see something like this ever again in press releases talking about unions. Oh my gosh. Thank goodness you guys are acting now. In June, Steelworkers Humanity Fund Provided \$15,000 to Organizations to Support Workers Affected by COVID-19. Oh, what horrible propaganda.

Here's one, July 9: Pressure on Canadian Aluminum, Steel and Softwood Lumber Shows Fundamental Problems with International Trade: Steelworkers. That's what they said. Oh, my goodness. I just thank goodness, Mr. Chair, that this government is acting to gag this kind of communication, this kind of investment in talking to both members and community members. Here's one. July 3: Community to Protest Racist Violence in Toronto's East End. Yeah, we wouldn't want anyone to know about that. How dare they promote a protest against racist violence? Goodness' sakes.

June 26: Aluminum Tariffs Would Make Mockery of NAFTA 2 and Ignore the Real Problem. So there's the United Steelworkers advocating against aluminum tariffs and promoting free trade. Oh, well, I don't know. They must have not gotten the memo from the Premier because they're supposed to – I mean, clearly they're all a bunch of promoters of socialist or even fascist dictatorships in other parts of the world.

Oh, here's one: the government needs to Grant Exemption to Bill 124 or Risk Seniors in Long-Term Care: Steelworkers. You wouldn't want to be talking about seniors and long-term care. Here's one: Ford Government Allowing Undue Risk to Workers Amid Province-Wide Reopening: Steelworkers. Oh, here's one: Steelworkers Union Welcomes WSIB Decision Recognizing McIntyre Powder-Related Parkinson's as Occupational Disease. Well, there they were advocating to have their members' rights protected as a result of apparently being exposed to a workplace hazard which caused Parkinson's disease.

Let's see. Oh, here's one. Well, I could see why members opposite wouldn't like this one, June 19:

Even Richer Than You Think – Time for Liberals to Act on Growing Inequality, Says Steelworkers Union.

Then it goes on:

This is an outrageous imbalance... The richest, wealthiest families in Canada are holding more than \$3 trillion, which is a quarter of the worth of the whole country. This is out of whack. Let's heed this warning.

No. You certainly wouldn't want unions to be able to talk about the fact that one-quarter of the value of the whole economy is held by just the wealthiest number of families. You wouldn't want to talk about income inequality. You wouldn't want to talk about it to the members of the union. You wouldn't want to talk about it to working people elsewhere. You would never want them to have the right to talk about something like income inequality.

Oh, here's one: Pandemic Pay for Security Guards: We're Waiting! So they're basically asking for there to be some kind of

pay for security guards. Here's one. Thank goodness we hopefully will never have to hear about this ever again. Federal Prison Chaplains Apply for Conciliation in First-Contract Negotiations. Just to be clear: the United Steelworkers represent chaplains in a federal prison, and they're in the process of negotiating a first contract. They had to go to the board to apply for it, so they put out a press release talking about that. But you know what? Yeah, those federal chaplains, you wouldn't want the union ever to be able to speak up for them.

9:20

Here's another one: June 5. This, again, is another thing that will be banned or significantly undermined by this bill: Steelworkers Humanity Fund Provides \$37,690 to Support Workers Affected by COVID-19. Let's make sure we stop that kind of thing.

Then we have: Steelworkers Call for Health and Safety Reforms Following Report into Worker's Death. [Ms Notley's speaking time expired]

Oh, I can't wait to talk about more, though.

Thank you.

The Deputy Chair: Thank you, hon. member.

The member who caught my eye in regard to debate is the hon. Member for Peace River.

Mr. Williams: Well, thank you, Mr. Chair, and I thank the Leader of Her Majesty's Opposition for that speech. I want to go and talk a bit about unions and continue talking a bit about Bill 32 and how that legislation affects unions today.

In the late '60s and early '70s in Poland there was a soviet socialist republic in power, and the leaders of the day who opposed that were union leaders, particularly an individual named Lech Wałęsa. Now, this is an individual that many Poles today see as a hero. I myself look up to him. Members opposite might not realize nor be interested in it, but the fact is that I have huge admiration for this union leader. I know many Conservatives that not only have huge admiration for those leaders but also are union members themselves.

Now, what Lech did in Poland: he started off as an electrician in Gdańsk in the shipyards, and as a member of his union he ended up promoting the interests and the dignity of the individual through a movement called Solidarity, which is a word that members opposite know but had a particular meaning in Poland at that time. The meaning at that time became a rallying call and a flag to gather around in opposition to the socialism that was oppressing them. It was through the union of Solidarity that socialism in the communist socialist republic of Poland was brought down.

Now, Lech eventually won the Nobel peace prize in 1982. He met Ronald Reagan and worked with Pope John Paul II from 1979 all the way until 1989 and the fall of the communist regime and the evil empire, and eventually he became the president of Poland. A union leader became the leader of the country of Poland. I think that was a huge step forward for freedoms, and that what he did was a huge step forward in the interests of the people of Poland and the west. I recite this, Mr. Chair, because it's important for our context today to understand the origins of unions to some degree, at least in the precise case of Poland, and how that influences unions today and how that can reflect on the way that unions operate today.

Now, my understanding of the opposition's concerns: they're numerous, but I'd say that the number one concern is that somehow Bill 32 is limiting the rights of individuals, particularly limiting the rights of unions as an entire group, as an organism, to be able to defend itself and articulate. Now, the fact is that this legislation changes nothing about the scope of what unions can speak to.

Nothing. There is no measure, no aspect of this act that prohibits unions from saying something that they couldn't before. That's a matter of fact, and I don't believe that it's in dispute from the opposition. There's no censorship going on here. There are no draconian measures taking away the ability for unions to advocate on topics.

Now, we heard our Leader of the Opposition cite income inequality, pandemic pay, COVID-19, federal prison chaplains as advocacy topics that unions that she knows were working towards. I think that's terrific, Mr. Chair. I think that that's something that unions have the right to do. In fact, after this legislation passes, they will continue to have the right to do so. No rights have been removed, not one.

Now, what is changing – and this, I think, is where the members opposite are misleading individuals of the public – is that members of unions now have the ability to opt out of paying for political advocacy. Now, I think that's very different from saying that unions don't have the right to articulate for higher wages or the issues that we just heard from the hon. Leader of the Opposition. What instead is happening is that if individuals choose not to contribute, they don't have to. Nothing has fundamentally changed in terms of the rights of unions. That will remain the same, and that's important.

It seems to me, as a solution, that all the union leaders must do is approach their electorate, which we hear is incredibly well informed and transparent and union organizations are democratic to the core. I genuinely am not saying that sarcastically. I take their word for it. They've been members of unions much longer than any of us on this side of the House have been, most likely. If they approach the electorate in their transparent and democratic way and say that these are the issues I want to advocate on, then they can continue getting the funding they need to advocate on that. It is not a threat in any way to their ability to speak to that.

Ms Sigurdson: But why do it?

Mr. Williams: I encourage members opposite, instead of heckling, to rise and counter the points. I'm happy to engage on that.

Now, as soon as they make that case, if individuals want to continue supporting those causes politically, they're welcome to it.

But I'll say that, from my side, when I speak to individuals across Alberta, particularly not even in my riding – I'll say my family. I have family members that are teachers. I have family members that are firefighters. I have family members that are a part of a number of different trade unions and unions across the province. Many of them support me. Some of them don't, to be fair. My family is like any other, Mr. Chair. That being said, many of them support my politics. But their unions are advocating against their own interests and the values they hold. It seems reasonable and fair that if it's an issue that they support – and I dare say my family would support federal prison chaplains – and if their union approached them to support them on that issue, they'd get a resounding applause. They'd ask if they could double their union fees for that particular interest.

But there is nothing – there is nothing – to say that these unions cannot continue to advocate for the interests they have. I really do admonish the members opposite for implying that there are somehow rights taken away from a union or their ability to speak freely or advocate freely. That is the furthest thing from the truth, Mr. Chair, the furthest thing from the truth.

The reality is that if you want to have a democratic institution in a union, as the members opposite, particularly the leader of Her Majesty's Opposition and the Member for Edmonton-Ellerslie, so eloquently put, this is not a threat. If their ideas and their political action are compelling, they will have the support of their members,

their electorate, as they like to put it, within that union. It's democratic. Let them support that. There is no issue with it. But I dare say that members of my family or members of the ATA or firefighters' unions or others, they might have issue with some of the advocacy groups and the issues that they took up, particularly in the last provincial election. Now, if the members opposite or the union bosses don't like that, that's democracy.

Now, I'm going to close by quoting the individual I mentioned at the start of the speech, Mr. Lech Wałęsa from Poland. One of his favourite quotes was in referencing democracy in Poland as it started. He said, "As we say in Poland, it's hard to make a bull move unless it really wants to [go]." Now, the members opposite and the union bosses can try and get their electorate to vote for these political issues, campaigning against the interests of pipelines and the economic viability of the province, but I dare say it's going to be real tough to move that bull. They're welcome to try, but if they really want to double down on the rhetoric of saying that unions are democratic and they're transparent, this is the way to do it. It's no harm, no foul.

I dare say the Solidarity movement would have had no difficulty if this law was in place. They would have had no problem signing up and getting their members to continue paying their political union dues because they believed in the cause. If the ideas you hold and your members hold in a union are so compelling, put it to the people. This should be no threat whatsoever. Political parties do this all the time. It's how we democratically are elected. It's how the members opposite got their mandate in 2015, putting the issues in front of the people and letting them choose. If they have contempt for their electorate and say: "No, no. We can't let them choose, but we're still democratic," that's no democracy at all. The institution itself crumbles.

9:30

I implore members opposite to consider the democratic option, which they like to boast so highly of, within unions and say: we will put these ideas, these compelling ideas they believe they have to the union members and let them vote on them politically. It will be no threat to their political interests.

Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

I see the hon. Member for Edmonton-Riverview has risen to join debate.

Ms Sigurdson: Well, thank you very much, Mr. Chair. It's my pleasure to join my voice to the debate of Bill 32, Restoring Balance in Alberta's Workplaces Act, 2020. Of course, we know that this bill is not about restoring balance; it is about tipping the scales of power in favour of corporations, which this government has done repeatedly since they've been elected, first, of course, with the \$4.7 billion handout to wealthy corporations. So let's not be confused. It's not about balance. It's absolutely not about balance.

Before our government was elected in 2015, the employment standards labour code hadn't really substantively been updated for over 30 years, Mr. Chair – for 30 years – and it badly needed it. Our government did bring it up to sort of average legislation across Canada. We were, like, you know, the dinosaurs. We were years and years behind legislation, good legislation, for workers. We did the work and improved both employment standards and the labour code. We know that, in fact, we were so far behind due to successive Conservative governments' union-busting policies that demonstrated they didn't care about workers; they cared about big corporations only.

When we first were elected and we reached out to, you know, many stakeholders in all different areas of Alberta, one of them, of course, was unions. We care about workers. We want to make sure that workers are supported, and we spoke to some of the union leaders, and they said that they had never, ever been invited to speak to the cabinet of the government of Alberta for decades. Decades. That just shows how little Conservative governments care about workers and about workers' rights and employment standards and the labour code. So when I hear this government, "Ah, we care about all Albertans," I know it's not honest. They have a select group of people that they are focusing on, and it's certainly not workers and certainly not the organizations that support workers.

This legislation is just same old same old, more union-busting policies from a Conservative government. Nothing new to see here. It is, of course, the same old disturbing story, and it's a very sad place for Alberta to be. Certainly, you know, as someone who has worked all of my career to create more fairness and justice in this province, when I see legislation like this, I'm deeply disturbed because I know that it's going to do the opposite, and Alberta is going to continue to be a place for elites, and the rest of us, we have to work twice as hard to get anywhere. Money is pooled more and more in the top percentiles of income earners.

That's not my kind of vision for Alberta. My vision for Alberta is that it's an inclusive province with income equality, gender equality. These are things that I care about, and that's why I stand in this place, because, you know, year after year of my life I saw government policy after government policy take away rights of workers, of the average Albertan, and again here we are, Bill 32, legislation that does exactly that.

I certainly am speaking against supporting Bill 32. You know, just to help the hon. member across the way from Peace River understand some of my concerns because he's saying that there's nothing to see here; everything's fine; we're not doing anything. Page 24, section 26.1. It says:

In setting union dues, assessments or initiation fees, a trade union must indicate

- (a) the amount or percentage of the union dues, assessments or initiation fees that relates to political activities and other causes, including
 - (i) general social causes or issues,
 - (ii) charities or non-governmental organizations,
 - (iii) organizations or groups affiliated with or supportive of a political party, and
 - (iv) any activities prescribed by the regulations,

And it goes on. On the next page it says:

Effective on and after the date prescribed by the regulations, a person is not required to pay the amount or percentage of the union dues, assessments, or initiation fees that relates to activities referred to in subsection (1)(a),

which is some of the stuff I already said,

unless the person makes an election in accordance with the regulations.

Of course, this is introducing a whole new section in labour code indicating that people can opt out. Please, let's not be silly here; we know that this makes it much more difficult. It's just another union-busting bill. It's just another way to take away power from unions who actually speak up about fairness and justice and equality, things that this government doesn't seem to care about. So don't try to pretend to me that there was nothing in this document that stood in the way. That's ridiculous. That's ridiculous. It obviously is very much in the way, so I completely disagree with the Member for Peace River regarding that.

One of the really important things about unions is that they do advocate for societal concerns. I've spoken extensively previously in this House regarding gender equality and some of the very, very

sad statistics about women's equality in our province and that the best and worst places for women to live in Canada according to the largest centres are – out of 26 places, Edmonton is 25, Calgary is 21. That's pretty low, and it's for many different indicators that I've spoken to quite extensively. I'd like to look at just income inequality in our province and sort of the state of affairs just so that Albertans, members in this Chamber understand what's actually happening in Alberta.

In Alberta exceptional increases in income over the last, you know, three decades or so means that more and more money is being pooled in that sort of top 1 per cent, right? So the rest of us have less. Actually, most Albertans' incomes have stagnated. A measure that is used to sort of look at income inequality is called the Gini coefficient. It's a measure of inequality. Every province: the federal government measures the Gini coefficient. Zero means that everybody is exactly the same, and 1 means that all the money is in one person's hands, okay? So that's, you know, how they sort of measure it. In Alberta .34 is our Gini coefficient, and that is by far the highest of any province in Canada. That means that we have the greatest income inequality. That means that more and more money is in the top percentiles of income, and there's less for the rest of us. Alberta is by far the most unequal province in Canada.

But you know what union membership does – and you know what else is true about Alberta is that we have the greatest inequality, and we have the lowest unionization. In provinces where there is higher unionization – guess what? – there's less income inequality because unions make a big difference for workers. They advocate for fair wages, good benefits for them, and they have this lighthouse effect that I've also talked about before, where they support not only union workers but also workers who are non-unionized because the environment is rich, that workers are supported. So if employers who are non-unionized want to keep those workers and, you know, want to make sure that they stay with them, of course they increase their wages and give them better benefits also. Because in Alberta we have the lowest rates of unionization in Canada, about 24 per cent, that means that we have the greatest income inequality, and this is nothing to be proud of, Mr. Chair. This is something that we should actually be ashamed of. We should want our province to be equal. We should want everybody to have a fair chance and not only support the elite, make sure that everybody is supported in our province, not just those in the top income percentages.

9:40

Alberta certainly stands out as the most unequal province in Canada. We know that after three decades of tremendous income growth in the upper percentiles. That's shown that to us. Certainly, inequality is a social problem that makes people feel like they don't fit into society as their incomes stagnate or go down. Everything is relative. It's very important that, you know, there be a robust middle class, where people have a chance and support, but Alberta has not created that kind of environment.

I mean, this is sort of flagrantly obvious if we look at some of the stats. This is national, but we know that this is happening certainly much more in the United States, other parts of the developed world, absolutely. I'm looking now at Canada. We know that CEOs, like the top CEOs, make 184 times more than the average wage earner in Canada. There's a huge pooling of income in the hands of fewer and fewer people. Everybody's familiar with the study that says that by lunch on the first workday of the new year Canada's 100 highest paid CEOs have already earned the average worker's salary. This has augmented, you know, over the last three decades, where CEOs would make maybe 10 times what the average worker does, but now

it's like 184 times. No one can say that that's fair. That's ridiculous that all the income is so pooled into just so few hands.

A healthy society redistributes the wealth and makes sure that people have what they need to be able to care for their families and, you know, make a living that's fair, but when incomes are so pooled into only the hands of so few people, that society becomes less and less just, and we know that there's more social unrest. We know that in Alberta. I mean, certainly, I know the UCP are very concerned about rural crime, and certainly we're concerned about that, too. But a lot of people, of course, in rural Alberta have lost important jobs in the oil and gas industry, and they're lost. They're desperate, and sometimes when that happens, people make bad choices.

What does the government need to do? The government needs to be more fair and support people to maybe retool themselves so that they can have different kinds of work. But what does this government do? They cut postsecondary education, and they make it harder for people to better themselves. All of these policies just make absolutely no sense to me.

I mean, I guess I know this, having lived in Alberta most of my life, since I was seven years old, and knowing that for many years I worked in low-wage jobs. I struggled. I was a single mom for many years, and I certainly didn't have access to sort of elite positions or anything like that. It was very difficult. Then as I educated myself and became a professional, became a social worker, and worked with people who were marginalized more than me when I was a single mom, I saw the deep, deep struggles that they had to overcome and how they couldn't. It was often too overwhelming.

I saw time after time Conservative government after Conservative government, you know, cut programs, certainly through the Klein era. Public programs were cut by 50 per cent. Grants to students going to university to try to better themselves to be able to have a decent job so they could take care of their families: those grants were cut by Klein and the Conservative government at that time. I saw very little supports in child welfare when I was employed in Children's Services years ago. It wasn't about the women and their families we were serving – and largely it was women – it was about cutting those caseloads, cutting those budgets. That's what it was about. It wasn't a fair place.

That's why I, over the years of having had this front-row seat to the devastation of the province that I love very deeply, decided to run politically and to speak up against these kinds of policies. Bill 32 is, of course, another one that is going to put power, put income into the hands of a few and not care for, you know, most of society, the workers in society, and that is deeply disturbing to me. I really don't understand why it is needed. It's not needed.

The reverse is needed. We need to have more fairness and justice in our province. We already have the greatest income inequality in Canada. A union actually advocates for more fairness for the regular worker so that all the leaders, the CEOs, the managers – I mean, the way the situation is going now, of course, the money is pooling in those top percentiles, and it's not fair to the workers. It's not fair to create so many barriers for people to be successful in our province. Of course, Bill 32 is just creating more inequality, and unions can turn that back. They can actually make more fairness and justice in our province.

So I really challenge the government to, you know, be at least honest about what they're doing, that it is intentional and it is to sort of bust the unions, because they want to silence them. They don't want to hear their voices, so they're going to make it harder for them to speak up by having this opt-out clause. We do know that Alberta is way behind all other provinces in terms of, like, unionization or fairness for workers. We know that 42 per cent of

union certifications failed before we changed the legislation, like, the year before, and then after it only 7 per cent changed. So this legislation matters. Of course it matters. It's going to change the game – it's going to change the game – and it's going to make us go backwards, you know, 30 years again. Alberta will again be a place for elites, and it'll be harder and harder for people to make a decent living.

The voices of the advocates – you know, I'm not sure what the government is afraid of. They certainly like to speak about supporting freedom of speech and including all the voices. They encourage it amongst their members. They are happy to talk about separation, and that's fine; members can have diverse views. But these voices aren't important to them. They're concertedly saying no to these voices, and it's so clear what is being done here. It's not innocent, as sort of the Member for Peace River seems to make out. It's intentional, and it is taking power away from unions. It's just another union-busting bill.

Certainly, as someone who has fought for fairness and justice throughout my career, it's just challenging to understand why a government would bring this legislation in, because having fairness for all its people – I would think, you know, the public good would be the most important thing, but this isn't what this legislation does. It actually takes away some important voices in the debate. It silences them, and that's not good for the public discourses.

I really challenge this government. I mean, if they're open to amendments, that section of the bill should certainly be taken out as it will inhibit, it will silence the voices of the unions. They won't be able to have as much force or power in their arguments because they won't have as much support because this makes it way harder for them to have that support, with this opt-out clause. I mean, it's just that if you care about democracy, if you care about supporting, you know, a robust debate, then it would stay in. There'd be no need for this opting-out clause. I really challenge the government to look at that and think about what it is that is so terrifying to them. Why do they need to silence the voices of people who believe in equality, who believe in workers' rights, who believe in keeping workers safe?

9:50

The Deputy Chair: Thank you, hon. member.

I see the hon. Member for Peace River.

Mr. Williams: Well, thank you, Mr. Chair. In the spirit of that robust debate that the member is asking for, I fail to see how the member addressed any of the concerns that I addressed in my speech. If introducing an open, transparent, free, democratic opt-out for union political causes is, quote, union-busting, then unions need new causes because the only way any voices can be, quote, silenced, when union is if nobody voluntarily supports them within the union. That's not depriving society of a voice; that's accurately articulating the lack of interest in those issues, except for a few elite union bosses. Again I say to the member opposite, in light of the spirit of debate she's entered into, rise again, please, and respond to the genuine question: in what way is it threatening to have union members choose their own politics?

The Deputy Chair: Thank you, hon. member.

Are there any others? I see the hon. Member for Edmonton-Gold Bar has risen.

Mr. Schmidt: Thank you, Mr. Chair. It's always a pleasure to rise and participate in debate although I do hate to interrupt the cabinet auditions that are going on here this evening. But I do have some things that I would like to contribute to the debate. In the time that I have allotted to me right now, there are two issues that I would

like to address. First is the issue around who has the power to say where money created and earned by workers is spent on political donations, and I'd also like to turn my attention to the issue of termination pay with respect to the employers' responsibilities to pay out the money that is owed to their employees when they're terminated.

Firstly, with respect to the issue of political donations and whether or not workers should have a say in those political donations, I would like to echo my colleagues, my friends from Edmonton-Ellerslie, in particular, and the Leader of the Official Opposition, in their quite clear arguments in favour of the democratic nature of unions and the ability of workers to have their say over how their union dues are being spent. I don't want to spend a whole lot of time re-covering that ground.

But I do want to touch on something that the Leader of the Official Opposition raised with respect to some of the comments that we have raised regarding corporations' ability to contribute to third-party political advertisers. She touched on the fact that the Premier stated in debate that, you know, shareholders, if they were unhappy with the political contributions of the companies they were invested in, disagreed with those political contributions, could sell their shares. I would agree with her comments that the freedom to buy and sell shares isn't nearly as complete and total as the Premier had suggested they were, but it also ignores the fact that companies create value by extracting that value from the labours of workers.

You know, workers create a product or a service at a company, and they get paid a rate which is less than the total value that is created from that labour, Mr. Chair, and the additional value of that labour accrues to the owners and the shareholders of the company. So it seems odd to me that the members opposite seem to be arguing that workers work hard for their money and they should have the absolute right to the say over how it is spent, but when it comes to the money that is created by workers in corporations and companies, they have absolutely no say over how that money, that they have created, is spent above and beyond what they're earning.

I would suggest, Mr. Chair, that if we were to be fair, we would be also seeking to enable workers who work at companies to also be able to participate in how the owners and managers and shareholders of those companies spend the money that workers create – I have a number of examples, I guess, of companies that have contributed – because we've heard time and again about concerns regarding the number of dollars that labour unions have spent on political campaign donations and third-party advertising over the years. But I think it would be educational for the people of Alberta to understand which companies are contributing to third-party advertising here in the province of Alberta as well.

I'm looking at the Shaping Alberta's Future election advertising report from December 1, 2018, to April 18, 2019, and I note that Surge Energy donated \$75,000. Crew Energy donated \$30,000. La Crete Sawmills donated \$25,000. A company called B.D.K. Properties Ltd. made a donation. Sunrise Estates Services, a division of Jasper Inn Investments Ltd., made a donation. Morgan Construction and Environmental Ltd. made a donation. MTE Logistix management incorporated and a numbered company numbered 1879745 Alberta Ltd. made some donations to that organization. Ecco Recycling & Energy Corp made some donations. A company called RDM Motors Ltd. made donations. Thermo Design Engineering Ltd. made donations. Kenneth J. Robinson Professional Corporation made some donations. Royop (Southlands) Development Ltd. made donations. Yellowbird Products Ltd. made donations. Royop is a frequent flyer in these donations. Their Barlow division made donations, and their Deerfoot division made donations as well.

The question that I have to ask, Mr. Chair, is: did any of the employees of the company, who are contributing to the profits that we presume those corporations used to make these donations, have a say in the donations that were made, and whether or not they agree with the outcome of those third-party advertisers? Certainly, the workers in those companies have a stake in public policy, and it's not always the same as the interests that their managers, shareholders, and owners have. It would be interesting to see if any of the employees of those companies were asked if they agreed with those donations.

You know, the Alberta Chambers of Commerce collected and spent \$26,250. The Alberta Chambers of Commerce, of course, represents a wide variety of businesses here in the province of Alberta, and I wonder if any of the employees at those businesses who comprise the Alberta Chambers of Commerce were asked or even made aware that the donations that their employers were making to support the Alberta chambers' work were going to support third-party advertising in the province of Alberta.

Merit Contractors Association, of course, collected and spent almost \$300,000. Now, it's interesting, Mr. Chair, because, you know, the members opposite like to talk about openness and transparency when it comes to third-party election financing, but I can't find anywhere on Merit Contractors' website which companies make up Merit Contractors. I can't help but wonder if the employees of those companies who comprise Merit Contractors were asked whether or not the profits of their labour should be donated to the third-party advertising campaign that Merit undertook in the provincial election that happened in 2019.

10:00

The highways maintenance contractors also engaged in third-party advertising. Alberta Highway Services made two donations, totalling \$2,198. Carmacks Enterprises made over \$2,000 in donations. LaPrairie Group made over \$2,000 in donations. Ledcor Highways made over \$2,000 in donations. Volker Stevin Canada made over \$2,000 in donations, too. This is an interesting case, Mr. Chair, because not only do the employees, I suspect, have no say over whether or not their parent companies are making these kinds of third-party donations; I also note that these are companies that are primarily operated by tax dollars. These are companies that are contracted on behalf of the government of Alberta to maintain the roads in our province. I can say with a hundred per cent certainty that I as a taxpayer of Alberta was not asked whether or not I agreed that my portion of the tax dollars that went to these companies was spent on political third-party financing. I don't think that's fair, yet here we are only concerned about union members' donations to political action campaigns but not about where tax dollars are being spent and whether or not they're supporting political action campaigns.

Let's turn now to the Alberta victory fund, Mr. Chair. The Alberta victory fund is a fund that's near and dear to the heart of members of Executive Council. In fact, it was run by a person named John Weissenberger, who just happened to get a position as a vice-president at the Alberta Energy Regulator after the election was won by the United Conservative Party. I'm sure that it's just a massive coincidence that somebody who oversaw over \$150,000 worth of political donations to support advertising that helped that government get elected all of a sudden found himself in a very highly paid position in a very influential agency under this government. But who did the victory fund get its money from?

Well, it certainly got some money from a numbered company, 2149130 Alberta Ltd. It also got money from Can-West Corporate Air Charters Ltd. JWI Investments LP made a \$10,000 donation.

Kidco Construction made a \$10,000 donation. Morrison Homes made a \$10,000 donation. The Cedarglen Group Inc. made a \$10,000 donation. United Communities LP made a \$10,000 donation. Diversified Staffing Services made a \$5,000 donation. Ecco Recycling made a \$5,000 donation. Prairie Merchant Corporation made a \$5,000 donation. Calbridge Homes donated \$2,500. Karana Properties Inc. donated \$2,500. PBA Land Development donated \$2,000. I can't help but wonder, Mr. Chair, if any of the workers in those companies were asked whether or not they agreed with the election financing contributions that their companies were making or if they were even made aware of the donations that the companies were making on their behalf.

But wait, Mr. Chair, there's more. The Alberta Roadbuilders and Heavy Construction Association, which is comprised of a bunch of companies that engage in government contracts, also collected and spent \$45,100 on third-party political financing. Now, I suspect that the Alberta Roadbuilders and Heavy Construction Association is primarily comprised of the companies that I listed in the earlier financial statement, but again, I raise the issue that taxpayers were not asked or even made aware that companies that they were funding with their government contracts were engaging in these kinds of third-party political advertising campaigns.

Finally, I want to look at an organization called Alberta Proud, which collected contributions from 578917 Alberta Ltd., 578919 Alberta Ltd. One can only wonder what happened to 578918 Alberta Ltd., why they weren't included in the donation list. Park and Jet Calgary made a donation. Prairie View Holdings. Steinbock Development Corporation. Source Energy Services again. Woodfield Holdings Inc. 1765662 Alberta Ltd., which is listed as Windermere Registry. Liquor Town parent company New Star Capital made two donations totalling \$4,250. The Green Depot in Fort McMurray made a donation. 1724629 Alberta Ltd.: Strathcona Registry is what they're listed as. Fort McMurray vehicle licensing and registry/the Timberlea Registry. Fort McMurray Vehicle Licensing & Registry Ltd. on its own made some donations. 1615016 Alberta Ltd., Abbey Road Registries, made some donations. 1597251 Alberta Ltd., Summerside Registry, also made donations.

Mr. Chair, the list goes on. The Green Depot, Fort McMurray, Advanced Bottle Depot made donations. 347963 Alberta Ltd. made donations. 2072882 Alberta Ltd. made donations. Hometown Liquor Town made donations. The Green Depot in Banff made donations. 1260014 Alberta Ltd. made donations. The Meredith Michael Company Ltd. made donations. Yellowbird Products Ltd. made donations. All of those companies made hundreds of thousands of dollars in donations that supported the members opposite in their election campaign, and I can't help but wonder if the employees in those companies were asked or even made aware that their owners were making those donations on their behalf. Or even their customers. Certainly, I would like to know if the company that I'm patronizing is spending the money that I'm spending in its store on political donations to support a political cause that I don't support. But I was never made aware that Strathcona Registry was supporting the Shaping Alberta's Future fund. It's not like they post a sign on their door stating that.

So if, you know, the members opposite are truly concerned about people having control over where their dollars are going when it comes to supporting political action campaigns, I think we should level the playing field, and we should allow workers in these companies to have a say and allow customers to have a say in how their dollars are being spent, Mr. Chair.

Now, with that, I would also turn to termination pay, and I would like to move an amendment to that effect, Mr. Chair.

The Deputy Chair: Thank you, hon. member. If you could please read it into the record.

For the benefit of the House, this will be amendment A1.

Mr. Schmidt: Thank you, Mr. Chair. I'm moving this on behalf of my friend from Edmonton-Mill Woods. I move that Bill 32, Restoring Balance in Alberta's Workplaces Act, 2020, be amended in section 1(3) by striking out the proposed section 8(2) and substituting the following:

(2) When an employee's employment terminates, the employer must pay the employee's earnings at whichever of the following times the employer chooses:

- (a) on the day following the last day of employment on which wages would normally have been paid to the employee;
- (b) within the 10 consecutive days after the end of the pay period in which the termination of employment occurs.

Mr. Chair, the reason that we are bringing forward this amendment is to hold the Minister of Labour and Immigration accountable to the words that he said with respect to this legislation. He said that it will absolutely not allow an employer to keep the wages of a worker after termination for 31 days and that the intention is to allow employers to wait until the next regular paycheque. This amendment makes that clear. Certainly, it removes the 31-day period and inserts that earnings must be paid either on the day following the last day of employment on which wages would normally have been paid to the employee or within the 10 consecutive days after the end of the pay period in which the termination of employment occurs.

10:10

This amendment still allows the legislation to operate according to the intent that the minister has stated it will operate. It prevents employers from arbitrarily holding back pay simply because the legislation gives them the power to do so. For example, employers who only pay once a month: this will still apply to them. It will mean no changes, but it will also force employers to live up to the spirit of the law that the minister has stated in his multiple arguments on that front during the course of this debate.

Mr. Chair, it's critically important, especially as Alberta's economy continues to struggle along and people continue to lose their jobs, to make sure that when employees lose their jobs, they are paid as quickly as possible and not forced to wait up to 31 days for the receipt of their final payment that they're owed. I think that in debate around a number of important policy issues here in this House, my friends here in the Official Opposition and I have continually raised the fact that almost half of all Albertans have less than \$400 in the bank right now to meet an emergency expense, so almost half of the people who could potentially face termination right now cannot afford to wait 31 days for their final paycheque to arrive if indeed that's longer than what they would expect from the normal pay systems at their place of employment.

I don't need to remind you, Mr. Chair, that the people who are losing their jobs right now during this pandemic are the people who make the least. They're service workers, they're retail workers, and they're people who are working part-time jobs in occupations that don't pay very much money, so the people who are losing their work right now are also the ones who can least afford to wait for a paycheque because they have less than \$400 in the bank, probably, to address their expenses.

You know, job prospects are pretty slim in this province right now, and certainly the Premier and Executive Council are doing nothing meaningful to improve job prospects and, in fact, are

worsening the situation because we... [Mr. Schmidt's speaking time expired]

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any members looking to join debate on A1? I see the hon. Member for Edmonton-Rutherford. Please.

Mr. Feehan: Thank you, Mr. Chair. I appreciate the opportunity to speak to this amendment. I think it's important that we seriously consider this amendment because actually it is put together as a favour for the minister of labour to bring the legislation in Bill 32 in line with his public statements about the intent of Bill 32. I think that that's a kindness on the part of the opposition to help the minister ensure that the things he is declaring to be true are, in fact, true in terms of the actual bill that he's suggesting be passed.

Now, in this particular case, this particular amendment is focused on the ability of employers, at their own discretion, to delay the paying out of workers' pay, workers that have been laid off for any variety of reasons, to a period of time of 31 days, irrespective of whether or not that 31 days is consistent with other factors in the relationship between the employer and the employee in the rest of the legislation, such that a worker who would normally expect to receive a paycheque before being laid off in 14 days now suddenly finds himself not only without a job but without the next paycheque on which they were depending in order to get them through any temporary or permanent layoff time.

As such, this actually increases stress for workers, increases the likelihood that workers will find themselves caught short in terms of their ability to pay their everyday bills, increased difficulty in paying their rent, increased difficulty in paying for groceries over the next period of time, and this is particularly difficult because it's compounded by other aspects of the legislation in Bill 32, where the employer requirement to give notice of temporary layoff is also reduced so that if you're being laid off, you receive less notice about it happening. You are likely to receive your pay at a time that is unexpected in terms of your family planning for your family bills and as a result will put workers in a very difficult place.

We know that very often businesses are in a place where they are making decisions on a variety of factors. As such, it's not like employees can guess ahead of time when these circumstances may arrive in their lives. I'm very concerned that overall Bill 32 makes it easier to lay off the workers by reducing those notification requirements, and it also increases the time period where no severance is required at all. I think that this is compounded again by the fact that this bill excludes seasonal and contract workers from notification requirements.

What we have is a complex system of changes to the bill which will really leave vulnerable people more vulnerable. That's the essence here, that the people who tend to get laid off are people who are already in businesses that have variances in terms of the stability of work that sometimes are as a result of seasonal changes that go on, are often employed in businesses that are affected by large international circumstances and world finance issues, and, as a result, are already in the position of being vulnerable and essentially having precarious work in the first place. We know that people with that history of precarious work are the least likely to be able to establish for themselves resources that would allow them to live through the downtimes, the periods of nonemployment in their line of work, because they have gone through this repeatedly over time.

Now, those people who have been in some kind of a contractor position for years and have never had time off are much more likely to be able to, within that, find a small piece of their profits each time on their paycheques to set aside because it's regular and ongoing,

and they can make it part of their family budgeting that they'll put aside 5 or 10 per cent for any vagaries in terms of their lives. But if you're a worker whose employment has gone up and down, up and down, up and down, it's very difficult to set aside money because you're constantly reaching back into that particular piggy bank in order to get you through each of the downturns that occur.

In many occupational situations those downturns happen repeatedly, sometimes multiple times throughout the year, and now we find ourselves in the place where workers who are in that place, who are least likely to have enough money to get them through the next month – as the previous speaker for Edmonton-Gold Bar indicated, a significant number of people in our society don't have enough money right now in their bank accounts to get through the next month, and because of these situations they are going to find themselves in very difficult problems.

10:20

With the conjoint reduction in notice that's being identified in this bill, workers will have less time, then, also to apply for EI. Had they received sufficient notice, they could apply for EI knowing that they're going to be laid off in a couple of weeks and therefore have the EI begin to start as soon as they're laid off so that they will be able to continue at least some level of financial input into their family so they can pay their rent, so they can buy their groceries, so they can take care of their kids, buy their kids school supplies.

Now, in this situation, you will not receive notice for your temporary layoff. You will not necessarily receive money, so suddenly you find yourself in a place where you are behind the eight ball, needing some time to apply for EI to get you through this period and thereby waiting for an extended period of time for either the government program of EI to kick in or for your money to arrive from your employer thereby making it a difficult spot for people who already find difficult spots routine in their lives. I think that that's very problematic, and I certainly would like to see a change in this part of the bill.

I really would recommend to the House that this amendment be taken in because all it does is it helps to tighten things up a little bit and provide a little bit more stability for workers so that they know that, should they get laid off, the paycheck that they will receive will come at the same time that they would normally expect a paycheck to come. I think that's probably, in fact, something close to the intention of the minister when he actually created this section. He wrote it as allowing 31 days so that it would allow those companies that do take 31 days between paycheques to be able to do it, but that is too loosely worded, so the end result is that all companies, not just the ones that use 31 days to pay their paycheques each month but those who normally would do it in two weeks, can take the extra time and do it in 31 days instead. I don't think that was the intention of the minister, and as such we have brought forward this friendly amendment in an attempt to just tighten up the language and to allow this to work well.

It just simply says that you would then provide the termination pay on the date that one would normally expect to receive that pay so that life continues as normal. All we're asking is that we continue the normalcy of process here. We're not asking for something new or something grandiose here. We're simply asking to stay with a practice that makes life more dependable and predictable for employees, particularly those employees who are already in the process of suffering the vagaries of work because of issues that often have nothing to do with their own performance but have to do with the situation of the company that they're working for. That often is, again, dictated not by the company itself but rather large world events such as COVID, when suddenly companies found themselves having to lay off workers.

I, you know, was in a position of speaking to some of the small businesses in my area and did speak to employers who said: the only way I could survive this was to lay off all of my employees as soon as I possibly could. This provision would allow them to lay off their employees without any notice at all, and because of the other things the government has done, not providing the kind of supports that we would have hoped for small businesses in Alberta, they were really stuck, too. The businesses were stuck in terms of trying to make very difficult decisions.

The support wasn't there from the government, so they then in turn put that onto their employees, employees who were working often for minimum wage and often working in a precarious situation where they didn't have an ongoing, dependable salary that allowed them to take some part of that salary and set it aside to create for themselves a buffer for these circumstances. Suddenly workers found themselves in a place where, without notice, they were without income and had very little time to engage in those activities which would allow them to have greater stability such as applying for EI.

This is a fairly small change in the bill. I mean, it's hardly an attack on the bill per se. It's not trying to make the bill disappear. It's actually bringing the bill in line with what we've heard as public statements from the minister, that they would like the employers to have an option to continue their usual pay process and use that process in order to pay out employees so that they didn't have to go through the extra expense of providing monies to an employee outside of their regular pay cycle.

I notice that it also doesn't differentiate between employers that have a larger process of paying people out such that they actually have a contracted agency paying their employees out and employers who just simply sit down and write a cheque. Many of the small businesses don't go to a third party, so there is no extra expense. They simply write the cheque themselves. I know that when I was in private practice, if I had to make a change, I just pulled out my corporate chequebook, and I wrote the cheque myself. They cost nothing more than what I would normally do. There was no actual expense because I was a small enterprise, but that's true of many enterprises in this province. In fact, a significant amount of the employment in the province of Alberta is by those kinds of small mom-and-pop shops, who will not actually experience anything extra. They're not contracting out their payroll services. They don't have to actually make a request for anybody to do anything exceptional, and therefore there are no exceptional expenses. It's really just a delay in terms of providing income to people who are already living somewhat of a vulnerable and precarious life.

Now, if the precision of the language of this bill were such that it would only address those situations where it would provide undue expenses to a business or corporation, then we might be a bit more understanding of what the direction was and what the intent was here, but instead we see that that has not been done. The precision here is really not of the level of which we would need, and we're just simply trying to bring that back into the case of what the minister has actually publicly declared that they would like to do, and that is to avoid, apparently, \$91 per layoff for each employee, which, you know, is very curious because if we look at the numbers that have been provided by the government, they seem to anticipate that somewhere in the neighbourhood of a million people are going to be laid off in the province of Alberta over the next year, which seriously either doesn't make sense or is really a prediction by the government of the failure of all the rest of their policies. I'm prepared to accept that the government would like to go in that direction.

You know, it just seems to me that you've taken a club to fix a minor problem that could be resolved with a smaller, more delicate

tool. In this case we are offering at least one aspect of the change that would make the response to the problem that has been identified by the government more equitable and more fair to your average Alberta employee, one that allows them to have a certain amount of predictability in an unpredictable time, one that allows them to prepare for their future by applying in an appropriate and timely way for EI, and one that does not give undue power to the employer to create difficulties for the employee. I don't think that most people want to do that, so why wouldn't we bring the legislation in line such that the employer is not stuck in a position where they may end up doing that? I think that the vast majority of employers try to be really fair with their employees, so the legislation should reflect the intentions of all good employers, of all good governments, and of all good employees to have a fair relationship and to have as much stability and predictability in that relationship going forward as they possibly can.

At this point I will come to the conclusion of my remarks and will recommend to the House that they take up this friendly amendment, that they take the opportunity to actually adopt something that has been suggested by the opposition, contrary to their behaviour continuously since the beginning of their government to ignore all suggestions for change even when that change is a positive, friendly kind of change.

Thank you very much.

10:30

The Deputy Chair: Thank you.

I see the hon. Minister of Labour and Immigration has risen on amendment A1.

Mr. Copping: Thank you, Mr. Chair. I'm rising to respond to amendment A1. I want to thank the member opposite for the thoughtful conversation concerning this and the intent behind the proposed amendment. As previously indicated to the House in terms of debate and discussion on the termination benefit, you know, our approach is to enable employers to be able to line up termination pay with their regular pay cycles. The way we did this is that we used the language which we see in (2)(b) in the amendment: "within the 10 consecutive days after the end of the pay period in which the termination of employment occurs." What that really means is on their next regular pay period, and when we speak about the next regular pay period, in the Employment Standards Code that is the language we use, that precise language.

Now, we did contemplate, when we were assessing changes to the language in terms of doing this, using "next regular pay," but one of the concerns that we had, Mr. Chair, is if you have a termination that, you know – and we've seen it through COVID-19 – comes quite quickly. If you need to terminate an individual at a certain point in time, then the issue becomes, if it's late in the pay period – and this was the concern that we had – like on a 14-day pay period, for example, if you're paying someone on a two-week schedule and it's on the 13th day and then your regular pay is within five or six days of that, for the ability to pay all the termination pay, which can include annual vacation and could include the notice period as well, it can be very challenging to calculate that within that short period of time on the next pay.

What we did is that we adopted an approach that we've seen in other provinces, where we use our language of "the next regular pay," which is (b), but then we put a final date from the date of the termination so that if the calculation needs to occur on the following two-week pay cycle for all the termination benefits, then it could occur at that point in time if it was late in the cycle. So we said that we would extend it out to a maximum of 31 days from termination.

Mr. Chair, while I appreciate the intent behind which this is given, our concern, so that it can actually hit that next pay, is that the employers need that flexibility, because that's what they told us that they require. Due to that, I cannot recommend that we support this amendment.

That said, I would like to point out to the members opposite that, again, even if the termination happened late in the pay period, you know, that individual would still get their regular pay for that pay period – right? – and then termination pay would follow no later than 31 days from the date of the termination. The intent behind that is for the next pay, to give the employers time to make that calculation. That was the intent behind it.

Again, I'd like to thank the members opposite for their intent in making this amendment.

The Deputy Chair: Thank you, hon. minister.

I see the hon. Member for Edmonton-McClung has risen to debate on amendment A1.

Mr. Dach: Thank you, Mr. Chair. I had the opportunity to listen to a few rather interesting comments from the minister of labour just now, and it struck me as a little bit strange that part of the excuse for bringing forward this measure in its unclarified form was that it was, quote, unquote, hard for business to calculate the termination pay within a time period that was perhaps available, depending upon the termination date of the employee. That's part of being an employer, that you anticipate these time frames and that you do have, sensibly, if you're properly staffed, individuals in your staff to take care of this or a software program, if you're a small-business employer yourself, to make sure these calculations are done.

To go on and say that part of the reasons that the measure was brought in was in response to employers' needs, that part of the reason was that they, quote, unquote, need that flexibility, it only looks at one side of the equation. Mr. Chair, we're in a situation where everybody is under stress, employers and employees, right now – we grant you that – but in this situation we're talking about termination pay. We're talking about a wage earner's dollars and final dollars that will be bridge dollars that perhaps allow that person to pay bills or eat between the time frame of termination and maybe qualifying for EI or some other form of transfer payment. That flexibility is also needed by the employee, I would argue. What about that employee who's just been terminated, who's waiting up to 31 days for the final payout in wages that are owed to that employee?

I would posit, Mr. Chair, that the flexibility that employers need is an even greater concern to the employee who's waiting for those few dollars that will allow him or her to feed family or themselves between the time frame of termination and qualifying for other transfer payments or perhaps starting a new job. The excuse that it's difficult to calculate is not palpable, really, because the business owner should be prepared to make these calculations and know the calculations that they have in place in terms of the labour legislation. That's something that as a business owner it's your responsibility to be able to tabulate and to account for within time frames that are set out.

Notwithstanding the fact that employers suggested they needed more flexibility and a wider time frame, I would suggest to the House that the concerns of the individual worker, in this particular case, who is reliant upon those dollars, those termination dollars, a final paycheck to actually live and to perhaps keep the person from going to the food bank or relying upon the generosity of friends and neighbours for that time period – that's where the consideration should lie when it comes to making sure that this element of the

legislation is clear, and that's the reason for this amendment that we're debating tonight.

The amendment, of course, goes a long way to restoring clarity. That's something that recently, during this time of pandemic, when it comes time to consider what benefits workers were getting and how this Alberta government was reaching out to help employees and individuals who lost their jobs during the time of pandemic – it's a pattern of behaviour that causes me to demand support for this amendment. The amendment simply clarifies exactly what the government claims already might happen.

The 31 days is not something that necessarily would be required, but the fact that an employer might end up relying upon legislation to wait the 31 days puts the employee in an untenable position financially and one that I think should be avoided by adopting this amendment to provide clarity and say that on the employee's termination date,

the employer must pay the employee's earnings at whichever of the following times the employer chooses:

- (a) on the day following the last day of employment on which wages would normally have been paid to the employee; [or]
- (b) within the 10 consecutive days after the end of the pay period in which the termination of employment occurs,

absolutely defining clearly in the legislation what the responsibilities and obligations of the employer are with respect to this termination pay, which gives a larger measure of security to a very vulnerable employee at a time when they are no longer with employment or income and are left wondering where their next sustenance is going to come from.

10:40

The reason it's important to have this clarity, I believe, Mr. Chair, is because of an example that was very recently demonstrated by the provincial government during the early stages of the COVID-19 outbreak in the province, when the Premier and the government came forward with a plan to provide isolation support of \$1,146, a bridge benefit that would be dollars in the pockets of workers who had lost their jobs for various reasons. Either they had been diagnosed with COVID-19, or they were caring for a dependant who was self-isolating, or they had otherwise been directed by a health authority to self-isolate, or they weren't receiving compensation from any other source.

Now, on the face of it, this \$1,146 was available to Albertans who would simply go to the website, and they would have to verify using MyAlberta ID and register to receive the support of \$1,146. Of course, thousands of Albertans did this, but there was a problem with the rollout of it and a problem with the computer system. People didn't get through, and they tried repeatedly to get through, hoping for this \$1,146 to help them bridge until federal government programs came forward. But guess what, Mr. Chair? The response from the government when the time frame ran out and when the federal government came through – and many, many thousands of people who had applied for this \$1,146 benefit actually failed to get through the computer system and therefore were left holding the bag – was that they were just told by this government: "Too bad, so sad. Tough luck. We've already oversubscribed the money. It's too bad that you couldn't get through. It was more popular than we thought. Go to the food bank, do whatever, or borrow from your brother, but you're not getting any more money from us."

But that was a program, Mr. Chair. It was a promise to the people of Alberta: \$1,146 if you lose your job, if you have been diagnosed with COVID-19, if you're caring for a dependant who's self-isolating, if you've been directed by health authorities to self-isolate, or if you're not receiving any compensation from any other

source, go apply; the money will be there for you. But that didn't prove to be the case. Thousands applied, the time frame ran out, the federal government money came through, and those people who were otherwise eligible were denied the coverage, the \$1,146, simply because of the program rollout failure, the fault of the computer system being oversubscribed.

The government could simply have come up with a proper response, in my view, and said: anybody who was eligible during that time frame, who would normally, had they been able to get through the computer system, have been able to receive that benefit, is going to receive the benefit. That would have been the mark of a very compassionate, empathetic government, but, no, that's not what happened. Those people were told: too bad, so sad. And that's the kind of news that workers in this country come to expect from this government when it suits them to deny a right to a benefit.

The final paycheck on termination for an employee is a similarly precious amount of dollars in the hands of a worker, and it's money that they need very quickly, soon after termination, and to have to wait a 31-day period is an egregious amount of time. In order for us to be certain that the government is going to respect that time frame, we have to make sure that the legislation reflects in detail that 31-day maximum period.

I would argue that any time we look at measures that are put in place for this government under its Bill 32, all of the measures have to be written in stone, really, put into the legislation and not be taken as if they – we don't want to have to take the government's word for anything. We've seen what has happened in a situation where people were very much vulnerable at the outbreak of this pandemic and that the rollout of the isolation support benefit of \$1,146 was denied to otherwise eligible people because the government just decided to change the rules of the game in midflight.

That's not just, and that's not fair, but that's something that thousands of Albertans were treated to by this government. I believe, Mr. Chair, that that's something that I would have a very long memory about if I was someone who had just recently lost my job and was told: "There's a benefit here that will bridge you until the federal government comes through. Just apply for it. Here are the rules. Here are the criteria." You read them, and you say, "Yeah, that's me; I qualify," but you can't get through. It's like the busy signal keeps ringing, and you can't get through to obtain those funds that you're eligible for.

Your neighbours got them. Your cousin got them. Your co-workers got it. But here you are in the same circumstances. You meet the criteria, but you don't get it, and guess what? The Premier and his government are saying: "Too bad, so sad. Game over. We don't care. The pot of money has been exceeded. Sorry. The computer program kind of broke down on us. You're not eligible for it, in our view, even though you meet the criteria. You go ahead and do your best to make ends meet some other way. Borrow the money. Go to the food bank. We don't know. Go to the feds."

That seems to be an answer that this government is happy to use for themselves as well in that they turn to the federal government themselves to pay their own party officials and party employees when a program loophole allowed them as a party to take advantage of a federal program that would give them thousands and thousands of dollars to pay for their staff. "Go to the feds": that's the common refrain that we've heard a lot of times when people were waiting for programs to be rolled out by this government. It was a matter of waiting to see what the feds were going to do. "Let's see what the feds are going to do." The leadership that we got from this provincial government here was a matter of doing the very least they possibly could as far as digging into the provincial treasury to

help our most vulnerable citizens at a time when they needed it most.

I'll tell you what. There's a song that just occurred to me, you know, the one that has a line that says, "You left me just when I needed you most." I'll tell you what. That's what happens to people in this province time and again with this Premier and this government. They're missing in action just when they're needed the most by the people who need it the most. What the government is serving time and again is the interests of the major corporations in this province, who they've given \$4.7 billion to in hopes of attracting investment, when, in fact, we know that trickle-down economics theory hasn't worked, and those who are anticipating construction of a pipeline in the United States, that the government has seen fit to invest directly \$1.5 billion in and another \$6 billion in loan guarantees, a pipeline that is in all probability not going to be built.

[Mrs. Allard in the chair]

So there's lots of money out there, Madam Chair, for major corporations, but, indeed, when it comes to somebody who has lost their job and is waiting for their final cheque, the government is saying: "Well, you know, employers need a little flexibility. They need a little time to pay. We think that we've heard them. Those workers who are waiting for that cash, who don't have more than 200 bucks in the bank, in all probability, on average, will just have to wait. They'll tell their kids that they'll go to the food bank. That's going to have to do because we're a government that looks after businesses first, people later, except when it comes to political donations. I mean, we're certainly ones who would like to empower corporate money when it comes to influencing our government, the political process, where it comes to third-party political donations and perhaps even a referendum and municipal elections as well."

However, for the business at hand, the pattern I'd like to see change in this government's *modus operandi* is one where we see a predilection towards disregarding the plight of individual Albertans and individual families who really have no place left to turn at a very critical time in this province's history, in this country's history, and, in fact, globally. There's a need for governments to recognize that and to really provide supports for individual families and working people and not to be bringing in legislation which nickels and dimes and hurts individual workers with measures that negatively impact the families who rely upon a paycheque month to month, who don't have many resources saved up, who are vulnerable and at risk, especially at a time when no other job opportunities are going to be abounding for many, especially the low wage income earners, who this legislation affects the most.

10:50

At a time when working people in this province are basically prostrate, the Premier is saying: "No, you just take your lumps, and we're not going to be there for you because it's the business interest that comes first in our opinion. You know, it'll trickle down to you. You just wait there long enough, and it will trickle down to you."

That's not what people are saying to me in my constituency, Madam Chair. They're talking to me about this labour legislation and wondering, indeed, what this government's long-term plan is and where they fit into those plans. Believe me, they don't see themselves seated at the table talking to this government. They don't see themselves having any influence over what the government program and policy is with respect to labour legislation. The last people on the list to have the ear of this government, in fact, who don't have the ear of this government, are working people.

I've mentioned already that those people who were represented by members of UFCW at Cargill were the last ones to be heard notwithstanding the energetic efforts of the UFCW leadership to raise the issue, call the alarm, raise the concern that people were getting sick, and there were three deaths as a result and a huge number of infections at Cargill. The government of the day, this Conservative government, now turns its attention to the so-called needs, existential needs of the business empires in the face of the struggle of working people, even when it comes to their very health and their lives at work.

This amendment seeks to, in a very small way, bring clarity to the government's actions and hold them to account and let the workers know that indeed what the minister keeps saying is in fact going to be followed through on. The minister keeps saying that changes in section 1(3) of Bill 32 will absolutely not allow an employer to keep the wages of a worker after termination for 31 days. Well, let him put his money where his mouth is – all right? – and accept this amendment, and indeed that's what we're asking him to do. The intention is to allow employers to wait until the next regular paycheque. Well, let's see if indeed that's the case. Accept the amendment, and put your money where your mouth is.

This amendment makes it absolutely clear. That's all we're doing, clarifying and putting in writing what the minister is saying that the bill actually does. It will remove the 31-day period and insert that earnings must be paid either "on the day following the last day of employment on which wages would normally have been paid to the employee" or "within the 10 consecutive days after the end of the pay period in which the termination of employment occurs." This amendment will still allow for what the minister says is the intent of this change without allowing employers to arbitrarily hold back pay simply because the legislation gives them the right to do so. Why is this important to clarify? I think I've told you.

The Acting Chair: Hon. members, we are on amendment A1 to Bill 32, Restoring Balance in Alberta's Workplaces Act, 2020. Are there any other members wishing to speak? I see the hon. Leader of Her Majesty's Official Opposition.

Ms Notley: Well, thank you very much, Madam Chair. Yes. I'm pleased to be able to get up and speak to this thoughtful and humane amendment offered up by the Member for Edmonton-Mill Woods on behalf of our Official Opposition caucus and, of course, also on behalf of, you know – I don't know – a million or so working Albertans. It is an amendment, as others have already identified, that is focused on removing the change in Bill 32 that would enable an employer to wait up to 31 days to pay an employee what they are owed, what is in effect their money, should their employment be terminated.

To be clear, we're not just necessarily talking wages; we're talking vacation pay, we're talking stat pay, and we're talking perhaps banked overtime. We're talking about significant amounts of money that belong to that working person, money that in the absence of the termination of the employment would be payable on a regular and predictable basis, yet somehow in their infinite wisdom members of the government have concluded that the time at which to press the capacity of the worker the most in terms of how long they can wait to be paid their wages plus their overtime and their vacation and all the other things is to do it when they've just lost their job. Normally they would get paid at a regular time and they would be counting on it and they'd have their account set up to have their utilities come out on a certain day and have their car payments come out on a certain day and have their rent come out on a certain day, all those things, but somehow these folks think that the time to most play around with that and mess it up is when

the person has just been told that they don't have a job anymore. I have to say that it's really quite counterintuitive.

Now, I have to say that I've listened to the minister, particularly in question period, try to justify this decision. You know, it reads like a lot of the other efforts of the minister to justify a number of the clauses in this bill. Let me, of course, just contextualize the clause that we are addressing now and the amendment that we are attempting to make by simply describing it as one of many provisions that exist within this bill that very definitively takes money from the pockets of working people and redistributes it back to their employers.

This is something that is similar to a number of other decisions taken by this government, this notion that by racing to the bottom, we somehow create new jobs and new, quote, unquote, opportunities for Albertans to get work. Although, to be clear, at a certain point, if you're being paid little enough, the opportunity to work is not really an opportunity as such because it's not really a win if you are working for a wage rate that has you, if you work full-time, actually living at a fraction above the poverty line, which is of course exactly what eliminating the minimum wage would do and exactly what eliminating overtime does and exactly what recalculating vacation pay and stat pay does, and this is just part of that overall package. I have to say that there's absolutely no evidence to suggest this actually worked.

The minister, this very same minister who is asking us today to trust him, suggested that eliminating the minimum wage, contrary to the position taken by the UCP in the last election, and reducing the minimum wage for young people under the age of 18 was going to create a whole raft of new jobs for those young people. Lo and behold, what happened? Their unemployment rate went up. So it never worked out exactly as predicted. Nope, it didn't. It did, however, confuse things a lot for people that were just trying to get into the job market at the age of 18 or 19 because some employers were thinking, "Oh, no. I think that I can possibly find somebody that I can pay less," although ultimately it didn't work out that way or, certainly, they didn't hire them because the unemployment rate for young Albertans did in fact go up. Then those slightly older young Albertans who were scrambling to find the money to pay for the spiralling tuition hikes that had also been put in by this government suddenly were struggling and competing on an uneven playing field.

All that to be said, it just goes to the larger issue, which is: an economic strategy that is premised on a race to the bottom is bound to fail. Alberta should aim higher and Albertans should aim higher than building businesses that succeed through exploitation, that succeed through paying the full-time equivalent salary that we know full well will not result in people being able to put food on the table, for rent to be paid, for people to be able to do the things that they need to do. It is a failed strategy. This is a strategy that is in the process of, in fact, failing Albertans. This is part of it, and we are opposed to it, and that's why we're trying to change it, and this is one of the sections that we think is a start and a good start.

11:00

Now, I will say that in listening, as I started to say, to the minister describing this change and how it was just a little, you know, flick of the pen to provide greater convenience to employers, who have this cumbersome obligation of paying their employees, and it's, oh, so complicated and confusing, and it costs so much, apparently \$100 million, to run payroll at different times – honestly, listening to him describe this really brought to my mind recollections of when the Minister of Community and Social Services tried to make the same kinds of arguments around delaying the AISH payments until the beginning of the month, when they had previously been

processed at the end of the month prior to the month for which they were being paid.

That minister seemed to be completely unaware of what it is like to live on the rate of pay offered by AISH, completely unaware of how close to the poverty line these people were, completely unaware of what it meant for the simple mechanics of buying a bus pass. Like, if I don't have the money on the first of the month, I can't pay for my bus pass, but in order to get to the place where I buy my bus pass, I need a bus, but I can't get on the bus because I don't have my bus pass. Like, simple things like that, which seem to be, "Oh, well, it's just common sense" for those of us as privileged as those of us who work in this building. That's day-to-day managing poverty for those folks. The minister was just absolutely, completely tone-deaf, didn't understand it, didn't understand why it was creating so much problem, didn't consult with them, had no idea what it was like to live on that much. I have to say that I was kind of reminded of that by the minister of labour's tone and the kind of rationale he gave about how, well, it'd be more convenient with respect to running the payroll.

Let's talk for a moment about that, okay, we hear that it's more convenient and it may theoretically save up to \$100 million although, as the Member for Edmonton-Rutherford quite wisely pointed out, if you're seriously expecting – you know, because it apparently saves about \$90 per termination and you're going to save \$100 million, I'm quite concerned about how many layoffs the government is counting on. I have to say that that's worrisome: uh-huh; a million layoffs. I'd be very curious to hear from the minister exactly how they did that calculation and exactly what else they see coming down the pike if they're expecting a further million layoffs to come into effect such that this particular change is worth \$100 million to employers. Yikes, I say, Madam Chair.

Nonetheless, let's just talk a little bit about what it means for those folks. Now, this stat has been bandied about in this House a little bit over the course of this discussion and many others that impact low-income Albertans and middle-income Albertans, but I think it's worth repeating. MNP Consumer Debt Index released a poll. I think it was in about March of this year, pre the most profound implications of COVID, and at that time 60 per cent of respondents in Alberta said that they ended the month \$200 away from not being able to meet all their financial obligations. Sixty per cent: it's a lot.

You know, we're not talking about this nameless, faceless poor person that the folks over there have never actually met. We are talking about 60 per cent of Albertans, not that that should make it any better because I think, frankly, that if we don't come to work every day and think about this nameless, faceless poor person, then we're not doing our job. But that being said, let's talk about those 60 per cent of people who responded to that survey who said that they were \$200 away from being late on making their payments. Okay. Sixty per cent of Albertans, but we're dealing with the convenience of people running payroll, whose job it is to run payroll. That seems like a strange choice to make.

Now, interestingly, what was also – I think it was in that particular poll as well. They also said that 46 per cent of Albertans essentially said that they would not be able to cope with the loss of employment in the following month in terms of being able to, you know, maintain their life and support, their life payments and financial obligations and those of their families. That number, that 46 per cent, was actually 10 points above the national average, so not super encouraging.

A significant number of Albertans would not be able to cope with the loss of employment, yet once again the minister of labour thinks that for the convenience of running payroll, we need to ask those 46 per cent of Albertans to wait up to 31 days before they get the

money which, to be clear, is theirs. It's their money. It's not the employers' money; it's their money. They have earned that money. A court of law would say that it's already theirs, yet somehow this government thinks it's appropriate to give the employer an extra 31 days to hold on to someone else's money without giving it to them even when 46 per cent of respondents to a survey said that they couldn't cope with losing their job, financially, and 60 per cent say that they are \$200 away from incurring late payments.

It's curious because I remember that when the Minister of Community and Social Services made her ridiculous decision to arbitrarily change the payment date for AISH, there were a lot of people that were talking about what the consequences of that were. I found it fascinating because at one point there was actually not one of the recipients themselves but their landlord – not all their landlords; just one landlord that happened to have a number of tenants who relied on AISH. This landlord said that about half of her 90 low-income tenants receive payments through AISH, and many of them have agreements with a third party who mails rent cheques on their behalf once the sum is deposited. That means that all of our AISH rent cheques that we receive because of third-party payment agreements were released on February 28. We got them in the mail Tuesday morning. The late rent payments added up to a temporary \$20,000 gap for that landlord; 45 AISH payments, and because of the late payments and because of the delay, it was a \$20,000 gap.

Then, of course, other AISH recipients reported, just for that three-day delay in paying their rent, having to pay a \$50 fine for late rent payment. Okay. You've got a \$50 fine for being late in paying your rent. Then you have the fees that are associated with paying your utilities late. Then you have the interest payments associated with missing your minimum payment on your credit card. Then you have the fees associated with missing your car payment. I think, you know, here's what I'm going to say. I'm pretty sure that by the end of the month each of those low-income people who'd just been told that they have to wait up to 31 days before they're given the money that is theirs will have lost a heck of a lot more than the \$90 it apparently saves the employer to delay running the payroll.

To be clear, I am not making these things up. Again, I'm going back to the stats which say that 60 per cent of Albertans who were surveyed report being \$200 away, at the end of the month, from not being able to make all their payments. You add up all the late payments, and we are well above \$90. So we made a choice here. We're going to save \$90 for the employers, and we're going to have those folks who just lost their jobs probably incur two or three times that in terms of late payment fees. Hmm. Well, we're making our choices here, aren't we? We're making our choices, but I would argue that they're not the right ones. In the long term you're actually costing all of us more.

11:10

You know, I want to just sort of flip briefly. These folks that are losing their jobs and being told that they have to wait till the end of the month before they get their paycheck often are the working poor, often are struggling to make ends meet. I'm just looking at a United Way report that was done, I think, mid-2019. There's a lot in it, but I think one thing that is really important is that they talk about the cost of poverty, anywhere between \$7 billion and \$10 billion, roughly, being spent each year in Alberta, and as Albertans and as taxpayers each one of us is contributing between \$2,325 and \$3,111 per year to address poverty.

Now, if we have just said to people that are going to lose their jobs, apparently almost a million of them, according to the labour minister's calculations, that they have to shoulder the cost of all the

missed payments in order to save the \$90 of payroll, I'm just wondering where this all ends up in the long run. I feel that we are accelerating poverty overall, and in the long term (a) those low-income workers are subsidizing those employers, and (b) as taxpayers we are also doing it. We are ultimately subsidizing it as well because we are creating and enhancing and accelerating poverty.

Let's just talk a little bit about: you know, what's it like to be that poor? I mean, we've heard a lot about how hard it is to run payroll if you're an employer. Really tough, for sure. Here's the thing. StatsCan did a survey of folks who are living close to or right around the poverty line, and they did a survey in order to evaluate whether their concept of the market-basket measure of poverty was still appropriate in terms of determining who is or is not poor. They did focus groups with, I think, thousands of people to determine the efficacy of the market-basket measure.

On food they said that the people that they talked to basically, in essence, were not able to buy the type of food they wanted, and they weren't able to buy as much food as they wanted. Those people just living right around or a little bit above the poverty line made choices around the type of food. Essentially, when they were short of money, when they didn't have money because, oh, say, their employer is holding on to it for an extra 30 days, that's the place they were most likely to cut. They might not buy meat, actually, and they would actually also simply not buy vegetables and healthy things for themselves and their families.

They also talked about clothing. Now, on that one people living in or around, close to poverty or living in difficult financial straits, obviously, just say: "Clothing is not a thing. We don't do clothing. It's not a big thing we spend money on. It's not a priority for us. It's not a big part of our budget."

That is something we will talk about another time.

The Acting Chair: Thank you, hon. member.

Are there any other members wishing to rise and speak to amendment A1? I see the hon. Member for Calgary-Buffalo.

Member Ceci: Thank you very much, Madam Chair. I want to address the amendment that's before us right now that was put by Member Gray to move that Bill 32, Restoring Balance in Alberta's Workplaces Act, 2020, be amended by the following sections. That's what I want to address with regard to the amendment before us, the whole thing with regard to when employment termination monies must be paid. It's the second time I've had the opportunity to address this issue in front of this House, and it's my pleasure to get up again and continue on where the Leader of the Opposition touched on with regard to a number of issues. You know, the folks who probably need labour legislation more readily than a lot of people in society are those who change jobs on a frequent basis, sometimes through no fault of their own, and other times they need to move on to positions that are better suited to them. People on the lower end of the income scale really are challenged when they leave their positions, have to get a new job somewhere else. It's for those folks, I guess, that I'm standing up and speaking a little bit about this amendment today.

I think just generally that Bill 32, as I've said before, tips the balance, unfortunately, too much towards employers and makes it difficult for particularly people, employees who are on the lower end of the income scale to make their way through this legislation, that aren't benefited by this legislation. There are a number of ways that they're not supported by this legislation, whether that's this particular amendment or other ones that have been debated here earlier today or will be debated after me. So I would like to focus on that issue.

I know that a consultation with regard to both employees and employers was released in conjunction with the Bill 32 legislation. Looking at some of the respondents and who those respondents were is very interesting, Madam Chair. Of course, there were over 5,000 respondents for the employment standards consultation, and three-quarters of those were employees and only 12 per cent were employers. But, as I said earlier, it seems to me that the 12 per cent of employers had more sway in terms of the formation of this omnibus legislation that's before us today.

We know that on the issue of termination pay, which is the subject of this amendment, 34.5 per cent of employers were satisfied with the amount of time they currently have to pay an administrative penalty, while 65.5 per cent were dissatisfied or neutral. Sixty-four per cent of employees were satisfied and 36 per cent were dissatisfied or neutral. So the preponderance of people who were not happy with the legislation that's before us were primarily employees, I think that says. I think the changes that are made here are too much in the balance and away from the needs of employees, people who can't wait more than two weeks to 31 days for their payment of a job that, you know, may not have been paying a great deal of money in the first place.

Minimum wages are \$15 an hour, and we know that that's not a living wage in this province. Living wages are closer to, for a single person, about \$18 an hour to \$21 an hour. If you are working at minimum wage and you're terminated from your employment, the question really becomes: how do you fill that gap between your termination date and when you're finally paid? One would think that the difficulty is more on the employee's side rather than the employer's side. I know one of the reasons that was given by the minister with regard to why this change was helpful was because it was addressing some repetitive red tape, that they don't want to have to be cutting cheques for their employees, the ones that are terminated, off-cycle from when they usually have their cheque runs. Yeah, that would be a problem, potentially, for an employer if they are terminating many, many employees or frequently terminating employees.

11:20

But if you're looking at the employee's side, if you're leaving your employment, and it's a low-income wage job, then the importance of getting that pay as quickly as possible so that you can ensure that your family's or your own quality of life is met is important. The amendment talks about:

The employer must pay the employee's earnings at whichever of the following times the employer chooses:

- (a) on the day following the last day of employment on which wages would normally have been paid to the employee;
- (b) within 10 consecutive days after the end of the pay period in which the termination of employment occurs.

It is, as I said, something that is a rational amendment to bring forward that tips the balance more in the scales of the employees at this point. We believe that that's necessary to ensure that, going forward, employees have what they need.

My own experience hasn't been in being able to use labour law or being involved with that of late. It's been many, many years since I've been in those situations and never in kind of a termination of employment situation, but, you know, the reasons employees get terminated are legion. There are a lot of reasons why people get their employment terminated. To be able to deal with that in the best way possible to make sure that people receive their wages and then can address their needs – as I said, whether they have families or they are individuals matters none, but they do need to support themselves in all cases.

That's one significant reason that I wanted to bring forward. The amendment makes it clear that it will remove the 31-day period and insert that the earnings must be paid either – I read those two parts of this amendment out. I think the amendment still allows for what the minister says is the intent of the change that he wanted to bring forward without allowing employers the ability to arbitrarily hold pay back simply because the legislation gives them the licence to do so. For employers who pay only just once a month, this will apply to them. There are many job situations in this province where that's the case, whether that be in agricultural situations, agricultural employment, or other places.

I think the principle that we all agree, probably, to is that rapid payment once you're terminated is not a bad idea because it deals in a final way between the agreement that was there between the employer and employee, and it severs that relationship properly so that both, particularly the employee, can go on and do other things as opposed to hanging out, figuratively, to make sure that they get paid. This amendment will ensure that the legislation actually achieves what the minister says it does. If the government – certainly, it would be something that I would hope would be supported.

We will be bringing forward a number of other amendments that will deal with other sections. But this section is something that, as the Leader of the Opposition was saying, matters most to low-income people who depend on paycheque to paycheque going forward, and they are a significant part of the employment population that do do that. We know that in Alberta a very high number of Albertans have very little money in their bank accounts and do live on paycheque to paycheque, so for those Albertans this amendment would be substantive and helpful. The number of Albertans who depend on paycheque to paycheque and who have, you know, as little as \$200 remaining at the end of the month is far too many.

We know that Albertans live with the most debt in the country, and those things added together make for a risky situation for Albertans who are losing their employment, so anything that can be done to make sure that they are properly paid out as soon as they can be really assists not only those Albertans and their families, but it is something that's less expensive on our support systems in this province, should those Albertans have to apply for any kind of support that's necessary to keep them in proper house and home. Far too many Albertans are in that situation, and we have to do a better job at making sure that they get back into employment as quickly as possible.

So with the opportunity for them to get paid out, to have the monies they need to search for employment elsewhere, to use those funds to continue their quality of life so that they don't have to look and take time away from looking for employment to look for other means of support are probably some of the dominoes that occur if people aren't feeling like they're getting their due in terms of a quick payment out from work once they lose their employment.

We, of course, know that there are far too many Albertans who are unemployed at this time. That's a challenge for trying to get back into the workforce when there's a predominance of people who are looking for employment. The folks at the lower end of the scale don't have the luxury of looking through the classifieds for, really, jobs that need a lot of prerequisites in terms of education and skills. Oftentimes they're picking up jobs, and those jobs can be, like, on the cash corner in Calgary, and if they're working for that kind of pay, that's a different kind of employment contract, obviously, and they're paid on a daily basis and working for minimum wage.

We need to do a better job in terms of the kinds of employment, the safety standards people have in those jobs. This amendment is

one that would, as I say, treat the workers like they were in positions, they were working, and for reasons their job was terminated, and they can get paid out on a more expeditious basis.

Madam Chair, with those kinds of thoughts in place, I just want to address a few more other things that are in this generally. I wanted to say that the consultation report that was done certainly talked a lot about areas around termination pay, which I've talked about. On youth unemployment there was a great deal on that that people weighed in on. Averaging agreements took up a great deal of the consultation report as well as general holiday pay. It would have been helpful to get that consultation report at an earlier stage so that those findings could be reviewed in relation to the amendments that were put together and brought forward.

11:30

We want to, of course, always balance the needs of employers and employees, and our government brought forward a number of amendments to previous labour standards that hadn't been touched in a great deal of time. We wanted to ensure that things like overtime pay, averaging agreements, minimum wages, all of those were necessarily left far too long, and they were worked on by the previous government.

Lastly, just again to reinforce the amendment that is before us right now, we believe it's in keeping with what the minister is wanting to do. We believe that it will assist employees upon termination to ensure they get their wages on an expeditious basis. It will remove the 31-day period in particular and insert the two clauses that we spoke to. We think it addresses the intent of the minister's change and won't allow employers to arbitrarily hold back great sums of money that are legally owed to the person who has been terminated from their job.

With those kinds of considerations, I will, Madam Chair, be winding up my comments so that they can be picked up by someone else. Thank you very much.

The Acting Chair: Thank you, hon. member.

We are on amendment A1 if there are any others wishing to rise and join debate. I see the hon. Member for Edmonton-South.

Mr. Dang: Thank you, Madam Chair. It's a pleasure to rise tonight and speak to amendment – sorry; I forgot the number there. I know you just said it. On Bill 32. I'd like to thank my colleague from Edmonton-Mill Woods for introducing this amendment. I think it's certainly something that is important and addresses some of the concerns that we had and also, I think, some of the concerns that the minister indicated were his actual intentions with this bill.

[Mr. Milliken in the chair]

I think that our leader, the Official Opposition leader, spoke quite eloquently on some of the concerns in terms of the impacts it would have on families, Mr. Chair. Welcome back. I think that certainly there is an important realization when we look at legislation and we look at what it is intended to do and we look at what it actually says and we look at how we can make it better as we move forward.

Clearly, I don't fault the minister's intent here. I think the minister has an interest when he says: we want to make sure that this is as reasonable for employers as possible. We don't want to – and I think they said that it was \$90 in some cases for employers to do these out-of-cycle paycheques. I mean, okay. Sure. There is some restriction on employers here, but I think certainly this amendment actually captures what the minister is intending to say and removes that burden from the employer, right? The minister keeps saying in this place and outside as well that section 1(3) will

not allow an employer to keep the wages of a worker after termination for 31 days, right? I think that the intention that the minister keeps talking about is to allow employers to wait until the next regular paycheque, and that is what would remove that \$90 burden from employers. This amendment makes that abundantly clear because the amendment says in subsection (a) “on the day following the last day of employment on which wages would normally have been paid to the employee.”

If this is indeed the intent of the minister, if this is indeed actually what the minister means when he says that employers should find efficiencies by not going out of cycle for paycheques, if it's indeed the intention so that employers will not be holding back pay longer than one pay cycle – some employees, of course, we know get paid weekly, biweekly, monthly, whatever it is; that will vary from employer to employer and employee to employee – then this removes that 31-day grace, which seems, in my opinion and I think in many people's opinion, excessive. Instead, it says that it either has to be the normally scheduled pay, which removes that redundancy, removes the exception, or within the 10 consecutive days after the end of the pay period in which the termination of employment occurs. I think this basically gives the employer a couple of options. It gives the employer the option to pay them out relatively quickly, in terms of immediately or within those 10 days, or to say: well, you wouldn't normally be paid for another two weeks. It would be 14 days or 15 days, whatever it is, your next pay cycle, so we'll pay you then, on your normally scheduled paycheque. I think those are some very reasonable things.

These are employees who have already earned this money, right? They've already worked the hours. They've already done the work. They've already put in the labour, whatever the employment may be, and they're owed this money. Like, they are legally entitled to this money. It's not something that they're asking for in excess of their pay. It's not some sort of excess in termination or anything like that. It's simply the money that they've already worked for. At least on their next payday or within 10 consecutive days the employer should pay them that money. I think that's a very reasonable ask.

I think it actually captures what the minister has been saying in this place. I think if the government is actually true to their word and actually believes in standing up for workers, if the government actually understands what the minister is saying, and if the government is actually being truthful when they talk about trying to make this fair for both employers and employees, they will find that this is a reasonable amendment. They will find that, in fact, this amendment enhances the clarity of the intent of the legislation because the legislation, as it currently stands, basically says that employers have a blank cheque for 31 days to do whatever they want. They could pay them out on day one. They can pay them out on day 31, and that's where it's unreasonable, right?

If the intention is to prevent these out-of-pay-cycle paycheques, if the intention is to remove this \$90 burden, which I think the Leader of the Opposition spoke quite eloquently to, about how for those employees who have been terminated, that burden will likely be, for 60 per cent of Albertans, well in excess of \$90 when you start adding in late payment charges, when you start adding in missed rent, when you start adding in interest fees on credit cards, when you start adding in interest fees on lines of credit, whatever it is, or mortgage deferral interest, it turns out that for many of these Albertans it will be well in excess of \$90. But if indeed we want to save these employers 90 bucks, and an employee, say, is regularly entitled to their pay every two weeks, then at that two-week point they should get their pay. I think that's a very reasonable approach to how we want to talk about employers and employees.

I think this amendment actually specifies that it's that last regular day of employment on which the wage would have normally been paid, right? It actually specifies to say: "Well, we knew this termination was coming. We actually knew we were going to do this. Now, we normally would pay you, and we will pay you out all of the time that you've worked then." Like, that would one hundred per cent remove this burden of the \$90 penalty – or not penalty but the administrative \$90 cost that the minister talked about and that the government is talking about. That's pretty obvious, right? It's pretty obvious that the administrative burden comes from some sort of overhead in terms of supplying these additional paycheques.

Of course, we know that in the majority of these cases there are people dedicated to bringing these paycheques, managing payroll. I think that they should be able to expedite these payments for employees who have been terminated and need that money, but if it is indeed a burden, then they can do it on the last day of employment on which wages would normally have been paid. That's the intent. It should not have this excessive change, this excessive creation of paycheques. I believe – and the government is free to correct me if I'm wrong – the burden comes from when HR payroll professionals have to go in and generate out-of-cycle paycheques, right? That generates a number of costs. It could incur some labour costs. It could incur some printing costs. We know that the cheques aren't free.

We know there are different types of burdens that will be created, so instead of all of those burdens, let's just use the regularly scheduled payday. Let's just use the regularly scheduled day, and that's actually what this minister has been saying. The minister has actually been saying that this isn't designed to create a situation where employers can withhold pay for 31 days. It's not designed to create a situation where employers are not going to be paying out the wages that employees are entitled to, that they have already worked for, that they have already earned. It's not designed to allow for up to a month, basically, for certain employees to not have access to their funds that they've earned and then have to do things like pay interest, pay late fees, pay deferral fees and interest, and all of those terrible things, Mr. Chair, for money they're owed in a time that basically is probably one of the most stressful times in an individual's life, when somebody is being terminated.

11:40

To meet the actual goal, to meet the actual intent of making this bill more fair for employers and employees, which is what this bill purports to do, enhance fairness – I think indeed it's really, actually a pick-your-pockets bill, but the government wants to imply that it's about fairness. In the interest of fairness, then employers should do their work and ensure that money that is owed to employees is paid out on the regularly scheduled paydays or within 10 days after the end of the pay period in which the termination of the employment occurs, right? That's a very reasonable restriction. It's very fair because it's not this arbitrary holding.

The minister says that the legislation is not about arbitrary holding. It's not about deciding suddenly that they want to hold it for 20 days, right? That would likely fall out of pay cycle, and that would incur that administrative burden. It would incur the \$90 administrative burden. If the minister's intent is actually not to allow employers to do this and not have employers incur the administrative burden, it makes no sense to have this sort of blanket exemption. It doesn't make sense to have this blanket exemption of 31 days because if the minister is correct, then there would be no need for this blanket exemption. Instead, we would actually say, "Well, let's do it on a regularly scheduled payday," and the employee should have the stability of knowing when the regularly scheduled payday is.

We know that many of these employees, for example, who are paid biweekly, will also have their mortgages paid biweekly. They'll pay their mortgages to the bank biweekly, or they'll pay their rent monthly or biweekly, whatever it is. They have the arrangement with their landlord or their bank. We know that's going to be the case, that likely they will choose the situation that lines up with their paycheque, right? If your mortgage is biweekly, then you'll probably get paid biweekly. If your mortgage is monthly, you'll probably get paid monthly. That's just the situation that many Albertans and families will choose because it makes sense for them financially. It makes sense and it's logical in terms of processing your cash flow. The cash flow in your accounts, the day it comes in is when a lot of those expenses go out. That's a very reasonable approach for many families.

What we're saying is that these families and these employees who are terminated should have the stability to know that that pay period in which they would normally have been paid anyways would no longer have this \$90 administrative burden, because if you're running a payroll for a company and everyone gets paid on the same day, you're processing all these paycheques anyways. You're going in as an HR professional or a payroll professional and going in and processing this large array of paycheques for all your employees anyways, and then there's no administrative burden, right? There's no additional burden because you'd be going into whatever software you use, like SAP or whatever it is. You would go in and you would run off the payroll for everybody, just like that. Yes, there's some work involved, but it's work that you would normally be doing. You would normally already be going in and doing payroll for all the rest of your employees.

That's actually, I think, the intent of what this minister is talking about, right? The minister has said time and time again that this is not intended to allow this arbitrary withholding period. Instead, it's designed to remove this approximately \$90 burden on businesses. That's what it's designed to do. If that is indeed the case, then when employers are already doing that work, when employers are already processing all this payroll, when employers have already decided to terminate, then they should be able to include that last payment. They should be able to include the money that's owed.

I think that's very fair. I think it's very interesting that the legislation doesn't say that, right? I think that when we talk about what we do in this place, when we talk about legislation, when we talk about bills, when we talk about making our bills that try to restore fairness, in this case to workplaces, when we talk about how we want to fix legislation, as it were, we want to make it abundantly clear what the cases are going to be for employers. We want to make it very clear and specific for employers and employees because it is going to be difficult when you look at it and say: why is there this arbitrary 31-day withholding period? Why is there this giant withholding period in which employers can choose not to pay? It doesn't make any sense. There's no stated actual rationale from the government for the 31 days. The rationale from the government for the 31 days has been to not have the withholding period cause this undue administrative burden when it falls out of payroll cycle. That's what this amendment does. We actually clarify that. We actually make it more plain language. We actually put the intent into the legislation.

I think this amendment is very reasoned. I think it's very reasoned because we can see that when the government talks about some of these issues and when the government speaks about how employers and employees should act reasonably within these changes and should act reasonably around termination, it becomes very clear that this is reasonable, right? This captures what the minister means when he says reasonably. It captures what the intent is when we move forward.

I mean, I think that the concern that we have had from the beginning about this section – and I think I’ve spoken to it in this place, and I know many of my colleagues have spoken to it in this place as well – was that there’s an arbitrary holdback period, right? Employers who are already being given in this bill some significant powers, including the ability to remove averaging agreements with averaging arrangements and including the ability to essentially arbitrarily remove overtime for employees – I think that for employers who are already having the scales tipped in their favour quite significantly by this bill, we should give them guidance through the legislation and perhaps in this case rules through the legislation to define and to say: what does reasonable mean? What does it mean when we say that you can withhold the pay for a certain amount of time? What does that mean in terms of that we want to make sure you don’t have the administrative burden, the \$90 administrative burden, but also that the employees are treated fairly with respect to the legislation?

When we look at the bill in its entirety – and I don’t think even with this amendment we would be able to support the bill in its entirety – I think the bill has a number of quite negative aspects. I think the bill quite clearly is an attack on workers’ rights. I think the bill quite clearly takes away the ability of workers to have a voice and makes this an unfair labour legislation and creates an unfair dynamic in many workplaces, particularly around the averaging arrangements and averaging agreements, particularly when employers can essentially take away your right to overtime, particularly when employers can decide that you can work an arbitrary number of hours but not be given the overtime, and you wouldn’t even be able to appeal that with the employment standards board because the appeal period is only six months and the arrangement can be in place for up to a year, particularly when all this is coming in in the entirety of the bill.

When we look at that and then say: “Well, this part is about administration. This part isn’t about actually what the dynamic should be between employer and employee. This part isn’t about the scales being tipped one way or the other. It’s not about partisan talking points. It’s not about what we believe employers or employees should have in terms of rights and workers’ rights. It’s actually about reducing the red tape and making this efficient.” Well, if that’s actually the case, if it’s actually the case that the minister wants to remove the red tape and make this more efficient and wants to provide clarity for employers and employees on what that means, I think it’s pretty clear that we should be telling them that it is intended not to allow you to pay out of the pay cycle, to allow you to make those regular payments during the regularly scheduled payroll or, failing that, within a reasonably prompt amount of time, which in this case is 10 consecutive days, right? I think those are all very reasonable approaches.

I think it’s pretty clear that the minister in this section, through what he said in this place and what he said in public, isn’t intending to use this to allow workers to not have access to their pay, to allow employers to withhold their pay for 31 days. That’s not the intent of the minister. The minister has made it very clear that that’s not what he wants. He doesn’t want employers holding back pay for 31 days. He wants employers to pay it on a normally scheduled payroll so that there is less burden, because if an employer withheld the pay for 31 days and that was an out-of-payroll-cycle day, it would suddenly become actually – the \$90 would happen again, right? It would become more administratively burdensome. It would incur costs, additional costs, for the employer. The minister has made it very clear in this place that that’s actually, fundamentally what he agrees with.

11:50

I think basically what we’re saying with this amendment, what my colleague the Member for Edmonton-Mill Woods is saying with this amendment, is that we agree. There can be some efficiencies in this. There can be some chances to make this work, but it would mean that we should direct employers through legislation, that they would have to do it on the day following the last day of employment on which wages would normally have been paid to the employee so that you wouldn’t withhold it, let’s say, two pay periods. If you were being paid biweekly, it may happen that your pay period was two pay periods away, so you wouldn’t be withholding it for an undue amount of time. I think that’s a very fair assessment, that employers shouldn’t be withholding money for an undue amount of time, that employers shouldn’t be withholding money that is earned by employees for an excessive amount of time. What is not excessive is when you are already going to be doing the next payroll, when you are already going to be doing a significant amount of work on this, and when you are already going to be doing a lot of administrative work around this.

Even in this place or other companies as well, private corporations, we know that payroll for the accounting department and HR department is often a very busy time, right? We know it’s a lot of work, and that’s why the minister has come up with this \$90 number as an administrative burden. But all this work happens on a regular schedule. All this work does happen regularly, and it’s at that regularity that we think employers shouldn’t have the choice of whether they should do it in the first payroll or the second one. We shouldn’t be withholding the payroll because 60 per cent of Albertans will not be able to pay their bills if they miss a pay cycle, right? That’s the reality we’re dealing with here: 60 per cent of Albertans will not be able to pay their bills.

The Deputy Chair: Thank you.

Hon. members, on amendment A1 I see the hon. Government House Leader.

Mr. Jason Nixon: Well, thank you, Mr. Chair, for the opportunity to rise on amendment A1. I just want to point out a couple of things. It’s quite concerning to me, what appears to be either a misunderstanding of how the opposition has prepared this amendment, or maybe it is another one of the NDP’s secret plans to try to backdoor something through the Legislature. The hon. Member for Edmonton-Mill Woods’ amendment, which has been moved by the Member for Edmonton-South, who just spoke about it at length, would actually make it longer for employees to get paid. If it is the NDP’s secret plan to come in the Legislature and try to change Bill 32 to make it so that employees would have to wait 40 days to get paid, then I would suggest that members of the Assembly support this amendment. However, I intend to stand with the minister to make sure employees get paid in a reasonable period of time, not 40 days, and I hope that all members of the Chamber will support that.

I don’t know what exactly is going on with the NDP and the Official Opposition here, Mr. Chair, if they’re struggling to write their amendments. The other day the hon. Member for Edmonton-Decore brought an amendment into the House in which he said that he was trying to stop us from being able to let non-Albertans but still Canadians from other provinces be able to purchase grazing leases or land inside the province of Alberta, part of the work that we’ve been doing, in particular the hon. Premier, in regard to intertrade barriers between our provinces. That member was bringing in an amendment to try to stop that from taking place, but his amendment, I assume accidentally, if it had been passed, would have allowed foreigners to not have any rules when it came to

purchasing land inside the province of Alberta. It would have just disbanded by accident, I guess, all the rules around foreign investment on land ownership inside the province of Alberta.

Writing amendments takes a little bit of work, Mr. Chair, and I do suggest that if the NDP is serious about it, they should take some time to make sure they get it right. For all members of the House here: you need to pay very particular attention to the NDP's amendments because either they're trying to secretly do things like make employees wait 40 days for their paycheques or allow foreigners to buy land inside Alberta with no rules or they just can't write an amendment, just like they can't show up for work. I would suggest to the NDP that they take some time to make sure they know what they're doing if they're going to move amendments inside the Chamber and certainly to all members to vote this amendment down, or employees are going to be waiting 40 days under the NDP's plan to get paid, which is shameful.

The Deputy Chair: I see the hon. Member for Edmonton-Whitemud has risen for debate.

Ms Pancholi: Thank you, Mr. Chair. It's a pleasure to rise in Committee of the Whole on Bill 32 with respect to amendment A1. In particular, I think it is important that we do look carefully at the wording of the amendment as compared to the bill that was introduced by the government. In particular, I'd like to address some of the comments made by the Government House Leader, which reflect, I believe, a misunderstanding and a misreading of the amendment and of the bill that is before the committee today for discussion, in particular what was proposed by the – I think let's begin, actually, with the existing Employment Standards Code.

In particular, the existing Employment Standards Code sets out that there are two options with respect to when an employee is paid their termination pay once that employment relationship is terminated. Under section 9(1) of the existing Employment Standards Code it says that "the employer must pay the employee's earnings not later than 3 consecutive days after the last day of employment." The other option is under section 10(2), which talks about when the employee themselves is the one who terminates the employment relationship, and in that case the existing Employment Standards Code sets out that "the employer must pay the employee's earnings not later than 10 consecutive days after the last day of employment."

Now, that's the existing codified provisions of the Employment Standards Code. What is proposed under Bill 32, the government's Bill 32, is to repeal those sections and to set out a new timeline. Specifically, it makes no distinction under Bill 32 as to who terminates the employment relationship, and it gives full discretion to the employer to determine when termination pay would be paid out. It provides two options, and of course the employer is going to make that determination largely based on which saves them the most money and which is most convenient and most preferable to the employer.

Now the options under Bill 32 are that

When an employee's employment terminates, the employer must pay the employee's earnings within whichever of the following periods the employer chooses:

- (a) 10 consecutive days after the end of the pay period in which the termination of employment occurs, or
- (b) 31 consecutive days after the last day of employment.

What that essentially means is that, you know, an employee who gets paid on a monthly or biweekly, let's say, pay period, if they are terminated before the end of their existing pay period – let's say that it's a two-week pay period – they can get paid either 10

consecutive days after that pay period ends or 31 consecutive days after the last day of employment.

What we see brought forward in amendment A1, Mr. Chair, is that, you know, there are limitations, of course, within the parliamentary procedure, as many people know, with respect to what kinds of amendments can be proposed. Let's be clear. I think the members of the opposition have spoken very clearly that we do not support what's in Bill 32 right now with respect to the changes. Our preference, of course, because we believe it protects the rights of employees to have access to their earnings in a timely fashion, is what's currently in the Employment Standards Code. Of course, as an amendment to a bill it's not permissible to simply say that we scratch out these sections of the proposed bill. We still have to work within the parameters because we can't nullify the intent, essentially, of the government through an amendment.

Certainly, again, we put on the record that our preference and what we believe protects the employees' rights and what should be preserved is what's currently in sections 9 and 10 of the Employment Standards Code, but we have to deal with the bill that's before us and what's been proposed.

The amendment that's before us today in A1 actually mirrors, to one extent, the provision that the government put forward, which is that the amendment A1 states that an employer may choose to pay "within 10 consecutive days after the end of the pay period in which the termination of employment occurs." This, Mr. Chair, seems to be the provision that – it's hard to completely follow the logic or reasoning of the Government House Leader, but it seems to be that he believes that section allows for somebody to get paid 40 days after the end of their employment, which is interesting because it's actually pretty much similar to what they've proposed. If he is so outraged by that provision, you would think that he would actually not support what's currently in Bill 32 and specifically within Bill 32 section 3(2)(a), which is pretty much precisely the same wording, although I will clarify that Bill 32 says, "get paid 10 days after the end of the pay period," whereas what we propose here is within 10 consecutive days. Certainly, it actually allows for an employee to get paid their termination pay earlier because it's within the 10 days as opposed to after.

Most importantly, Mr. Chair, the reason why we're bringing forward this provision is to address what we think is the most glaring problem with respect to Bill 32 on this provision. There are many glaring problems within Bill 32, but I will speak specifically to this amendment. Under Bill 32 it allows that an employer may pay an employee their termination pay "31 consecutive days after the last day of employment." It's not related at all to the pay period of that employee but 31 days after the last day of employment.

12:00

Let's just say, for the sake of argument, Mr. Chair, that an employee gets paid twice a month. They get paid on the first of the month; they get paid on the 15th of the month. Let's say that their employment terminates on the 16th. This now allows the employer to pay them a full 31 days after their last day of employment, so well into the next month, when really they should have another pay period coming up, which would be the first of the next month. Instead, this provision allows the employer to choose to delay paying that employee even though they have a pay period that's coming up. It actually should not be any burden on the payroll system of an employer to be able to pay. If they've got regular pay periods, why wouldn't they be able to pay that employee on the first of the month? But, no, it actually allows the employer to choose to delay that individual's, that employee's wages, rightfully earned by that individual, for a full 31 days.

That is why, Mr. Chair, our proposed amendment says that we basically are eliminating that because we think that it is fundamentally unfair to delay to pay an employee the wages to which they're entitled until 31 days after their last day of employment. Certainly, actually, a more egregious example would be if that employee was terminated on the 30th of the month and, again, had to wait a full month before they would get their pay even though, again, a pay period is right there. That's why we've proposed in our amendment that the employer can choose between "within the 10 consecutive days after the end of the pay period in which the termination of employment occurs" or "on the day following the last day of employment on which wages would normally be paid to the employee."

Again, Mr. Chair, a fundamental misunderstanding by the Government House Leader of the amendment and fundamentally, actually, of the bill that's been put forward by the government, which is surprising, but I'm assuming that part of the plan here is to sort of obfuscate the realities of what's being put forward. I think that's probably why we're also debating these bills in the cover of darkness, in the middle of the night, when a lot of Albertans are not paying attention, but we believe on this side of the House that it is important to give light to these issues and to talk about fairness.

On that note, Mr. Chair, I'd like to actually begin with – begin? I've already been speaking for some time. I would like to continue talking about how, really, when we're looking at the employee-employer relationship, it's fundamentally recognized within employment law, labour law, contract law that there is an imbalance between an employer and an employee. That's existed from the beginning of time. Obviously, the dependency and vulnerability of workers is much greater than it is on employers with respect to that relationship. An individual needs to work much more than, potentially, an employer needs to hire that specific individual. That employer could likely go find another person to work that job whereas that person who is seeking that employment is depending on it.

So there's always been – and the law recognizes it – that imbalance between employees and employers. That's why we have such things as labour standards, that's why we have the Employment Standards Code, and that's why we have occupational health and safety provisions, to manage that imbalance and to provide individuals, who often don't have it, the bargaining and negotiating power vis-à-vis an employer, particularly a big employer, those that are part of big corporations. An individual employee really does not have a lot of opportunity to really negotiate in a fair way the terms and conditions of their employment.

When we look at the Employment Standards Code, what we're really seeing is – and, again, a fundamental aspect of employment law is that the Employment Standards Code provisions we're talking about are bare minimums. They are the requirements that employers cannot go below and that employees cannot go below. Certainly, an employee may negotiate a more beneficial relationship or a more balanced employment contract, and certainly we know that there are employment contracts that exist that provide more generous protections, more generous provisions than what's in the Employment Standards Code. But the reason why we have the Employment Standards Code is because we recognize that individuals often don't have that negotiating power.

In particular, Mr. Chair – and it's been raised by a number of my colleagues already, and I will raise it again as well – we know that those Albertan, those Canadian workers who are the most vulnerable, who are working at the lowest paying jobs usually do not have the opportunity at all to negotiate the terms and conditions

of their employment, and usually the Employment Standards Code is the one that applies.

It certainly has borne out in my work in the past in employment standards and employment law that we know that the vast majority of workers, particularly those on the minimum wage, for example, don't ever sign an employment contract. They don't have an employment contract that they can even negotiate. If they do have a contract, it's usually just a signature saying that they agree, maybe, to the Employment Standards Code, which would be applicable even if they didn't sign it. There is not an opportunity to say: I want to negotiate some fairness around when I'm paid my own wages should this employment relationship terminate. That opportunity does not exist for most people when they go into the workplace, when they get hired to go work for an employer. They are dependent upon the basic minimum provisions that are in the Employment Standards Code.

I want to highlight again that when we're talking about, for example, minimum wage employees, although certainly I want to highlight that there are many, many Albertans particularly who work for higher than minimum wage who still don't have access to an employment contract that they can negotiate one on one with their employer, they are still subject to and only subject to the minimum standards set out in the Employment Standards Code.

When we're talking about minimum wage employees, we have to talk about who those people are. Of those people we know that two-thirds are women. Many of those women are single parents. Many minimum wage workers are new Canadians – newcomers to Alberta, newcomers to Canada – who, again, are strongly disadvantaged and not able to negotiate the terms and conditions of their employment and therefore are also more vulnerable to what may seem like small, minuscule changes, more subject to having their lives actually impacted by changes that seem to be just administrative. They seem to be minor, but the impacts on those people's lives are actually the opposite of minor, Mr. Chair; they actually have a significant impact. So when we're talking about when you pay out to an employee who has been terminated their own money, their own dollars, while that may not seem like a lot of money to the employer, to the employee it's a significant amount.

Now, we know that when this bill was introduced, we raised concerns with respect to this provision right from the beginning. We know that the minister of labour and employment said: oh, this is a small administrative change to help employers with payroll costs; it will save them roughly \$100 million a year. We later heard that that broke down to – the spokesperson for the minister said that that works out to an average of \$91 per employer that it would save. You know, that works out, Mr. Chair, to over a million Albertans that this government seems to be counting on being terminated in the upcoming year. Now, while we are certainly in very grim circumstances with respect to the economy and jobs, I am not sure that it shows a lot of confidence in the strategies and the choices that the government has made to create jobs when they're counting on over a million Albertans losing their job in the upcoming year. That's a really sad state of affairs and shows that they don't seem to have confidence in their own strategies.

Now, to be fair, Mr. Chair, I can't say that I have much confidence in the strategies that they've chosen thus far to create jobs. Certainly, well before the pandemic and well before the drop in oil prices this government chose to make a significant cut to the corporate income tax rate for the purpose of, apparently, creating jobs, yet we know and all Albertans know that even before the pandemic, even before the drop in oil prices in March, this government had lost 50,000 jobs in Alberta. Certainly, the drop in the corporate income tax had not created any jobs, but it also is not creating any now, and we're in a much more dire circumstance.

I think, Mr. Chair, that one of my big concerns – and I’ve been raising this particularly over the last few weeks – is that we see the government continue to pursue this legislative agenda that seems to be divorced from the reality of what most average Albertans are living every day. So while I think it was incredibly petty and short sighted to make changes to termination pay even before the pandemic and the drop in oil prices, to simply ignore the reality that so many Albertans are facing right now, when more than ever we know that more Albertans are facing terminations, are facing layoffs, to ignore that reality and still push forward with an agenda that will make it more challenging for people who are vulnerable and counting on their pay to be provided in a timely fashion, as is their right to expect, to push forward with making that harder, with making life harder for vulnerable Albertans, and to fail to acknowledge that the number of Albertans who are vulnerable to these fluctuations has grown exponentially, particularly because of the pandemic, particularly because of the oil prices, to continue ahead with this agenda is not only petty, but it’s short sighted.

12:10

It continues to remove the focus from the everyday Albertans who are living this reality to not pause and say: “You know what? Is this the best measure to take forward right now, at this time, given what’s going on?” That’s the thing that I quite possibly have the most concern about, Mr. Chair, that we’re going forward with these changes when we know that more and more Albertans are being affected by these kinds of changes. That’s the reality.

The hon. Leader of the Official Opposition spoke very eloquently, as she usually and always does, and talked about the survey that was done of Albertans where it said that 60 per cent of Albertans are \$200 away from not being able to make their monthly payments. That should give us all great concern and great pause. We know that that is the harsh reality of the environment that we’re living in right now.

But then to go forward with what seem like small changes but really could have profound impact by telling people, “You’re not going to get your pay, which you are entitled to, for more than 31 days,” so your ability to pay your bills is absolutely jeopardized – if you have to make those fixed payments on things, where it puts families in a position where they’re choosing between for that month, “Do I pay the rent, or do I buy food?” and “Do I buy the bus pass, or do I pay my utility bills?” the consequences of failing to pay those things on time often then snowball, right? Late costs and interest start getting accumulated, so it becomes a hole that becomes more challenging for individuals to dig themselves out of.

What we’re talking about here is a small change that could actually be the tipping point for so many Albertans to then spiral into some real fundamental challenges to being able to stay ahead, to being able to just break even, not even to stay ahead, Mr. Chair, but, honestly, just to be able to make their payments. Again, the most vulnerable and lowest paid Albertans are the ones who are already struggling to make those bill payments. To just say simply, “You know, we’re trying to save employers \$91 per employee in payroll costs” when the cost to that individual and the cost to their ability to make ends meet, to take care of their family can be significantly impacted, that is short sighted.

We appreciate that we have limited ability to simply say that we believe this provision in Bill 32 should be struck out. Again, Mr. Chair, I’d like to highlight that that’s what we think is the fairest option for Albertans, to actually remove this provision, but we’re not able to do that. What we can do is propose an amendment that doesn’t completely undermine the intent of the government’s bill. That is why we’ve come forward to say that, at a minimum, we

should not be going forward with a change that delays people getting paid their salary, their wages within 31 days.

Let’s be clear. In this climate that we’re in right now, you know, sometimes termination is thought of in the context of a bad employee or an employee that’s not performing and that that’s why a termination occurs. That’s absolutely, certainly these days not the case. We know that the number of Albertans who are being laid off and are being terminated has nothing to do with performance, has nothing to do with the performance of their work and their ability to do their work. It has to do with the economic climate that we’re in. If we’re going to recognize this, that the economic climate does create additional challenges for employers to meet their costs, we also have to be looking at the ability of individual Albertans to be able to meet their costs as well. This is a small change that could potentially have a very big impact on the day-to-day lives of so many Albertans.

The other thing I’ll mention, Mr. Chair, is that as somebody who has worked with employees and employers during a termination, one of the reasons why we have short time periods within legislation – the Employment Standards Code – for paying out individuals once the employment relationship is terminated is because it’s in the best interests of all parties that that relationship be terminated once the decision has been made, that it be done as quickly and as cleanly and not be dragged out for as long as possible. There’s often, of course, during a termination incredible mistrust. If it wasn’t there before, it’s certainly created after a termination. There could be hard feelings.

One of the things that I know I counselled my clients – and I worked on behalf of employers – was that you want to pay off what you owe as quickly as possible, to sever that relationship as cleanly as possible because of the bad feelings that can exist during an employment termination, to fulfill your obligations, and to do it quickly and efficiently.

The Deputy Chair: Thank you, hon. member.

Are there any other hon. members looking to join debate on A1? I see the hon. Member for Edmonton-Decore.

Mr. Nielsen: Well, thank you, Mr. Chair. I appreciate the opportunity at this bright time of 12:15 in the morning to speak broadly around Bill 32 but, of course, more specifically to the amendment A1 around striking out section 1(3) and adding some other language. It’s been interesting so far this evening. I think my colleagues have spoken quite clearly around the language that’s being proposed here.

More specifically, Mr. Chair, I can’t help but think back to my experience that I’ve seen over the years in my own workplace. I spent, you know, 26 and a half years at Lucerne Foods, a great portion of that as a shop steward for my co-workers and even as a relief rep for my union, UFCW local 401. I can say that over the course of that time I saw employees come; I saw employees go.

Terminations, of course, are never a fun thing. You know, to be quite honest, I’ve seen a lot of different reasons over the course of the years for why terminations might occur. I have to say that when I look at the – I suppose I should also add, Mr. Chair, that I’ve even had the opportunity to see entire departments shut down as well over the course of that time. So I’ve never ever seen the number of terminations that could be potentially suggested here from the government side. We’ve heard that this proposed change in Bill 32 would save employers up to \$100 million, which breaks down to about \$91 per termination. So I can’t help but think: how many people is the government expecting to get terminated over the next little while? Unless there’s some plan, maybe within public-sector jobs, to terminate a significant number of people –

because, as some of my colleagues have pointed out, we're talking about, in order to save that \$100 million, around a million people. So I can't help but start to jump to conclusions that there are going to be some significant layoffs coming, as maybe has been suggested in the past.

You know, Mr. Chair, I guess as a whole on Bill 32 as written right now, I am very much against it. To use some of the language that I used to hear from members of the government front bench and members of the government caucus in the 29th Legislature, I think we have a piece of bad legislation here with the exception of maybe one part which throws a bone, I think, to the building trades. I think it's only a bone. It doesn't actually even really have any meat on it. But a bone.

So the amendment that we have here before us right now, I think, attempts to try to make this piece specifically of bad legislation maybe a little less bad. Like I said, the members of the front bench and caucus from the 29th will remember over and over again talking with that exact language. I can't help but think – and some of my colleagues have already mentioned this, and I think about some of the people that live in Edmonton-Decore and some of the means they have, the fact that, you know, we're seeing numbers where people are about \$200 or so away at the end of every month from being able to pay their bills, and that's just their basic bills.

12:20

So to see, when a termination does occur, that for multiple, multiple different reasons the bottom line – and I know the Leader of the Official Opposition pointed this out. Any monies owing at that point are for hours already worked. It doesn't matter at that point what the reasons are for the termination; those hours are owed to the people. I think my colleague from Edmonton-Whitemud said it very well. I think most employers are looking to sever that relationship as quickly as possible because, unfortunately, the employment has become untenable for them, and they need to dismiss the employee.

But to sit here and say that we are going to save the employer \$91: the only time I remember multiple employees being terminated at any given time – because, you know, I found myself at times where Lucerne ice cream was located, the two warehouses on either side. Lucerne was owned by Canada Safeway, which, of course, was largely owned by Safeway Inc. out of the United States. I can remember as a shop steward being pulled on either side of the warehouses just because at particular times they might not have had a shop steward available. Because of my work as a relief rep, I was able to step in. I think that the largest termination I ever remember seeing at one given time was three people. Three people at one time. So, I mean, to say that that's going to be a burden on a company as large, at least back then, as Safeway I think is preposterous, quite honestly, Mr. Chair.

With this amendment we have the ability to try to take a section of Bill 32, bad legislation, and make it maybe just a little less bad. I'd like to see it just completely removed, what's being suggested here, you know, because, when you look at the title in general, this restoring balance is ridiculous. I remember the time before even getting the opportunity to serve the residents of Edmonton-Decore in this Chamber, Alberta had some of the worst labour legislation in the country, not a very great title to claim that you have. The changes that have been brought forward simply brought us to a mainstream or an average across the country. We were just average. We weren't trying to be leading. We were just average.

When we look at the changes in Bill 32, like, more specifically around the amendment, it's taking things backwards, and it's placing Albertans at a very great disadvantage. I find that

interesting, considering that we've heard the government talk about how, you know, they've got the backs of Albertans, they're trying to make their lives better. How are you going to make their lives better when some of them are \$200 or less away from not being able to pay their bills?

Mr. Chair, I'm sure that, just like me, there have been times where you made a mistake and a payment went awry, and you got charged a penalty for that. You know, something was supposed to come out of your account, and you got charged a \$45 NSF fee. It happens. When you're looking at Albertans who are working minimum wage jobs – sometimes they're working two or three because their rent is really high, their insurance now is even going up a lot more, and they're going to be paying more for schooling for their kids – that delay in payment quickly snowballs in a very large hurry.

I can remember, you know, a time back in my youth, which, of course, was a very, very long time ago, where I found myself in that situation, where because I made an incorrect decision at a time and I had a payment go awry, it snowballed on me very, very quickly because I was making minimum wage at that time, and minimum wage back then was very different than minimum wage today. But, then, expenses back then were a lot different than they are today. My gosh, Mr. Chair, I remember paying my half of the rent in my apartment with my roommate at the time: \$250. I don't think that there's any rent anywhere in the country now that's as low as that.

When we're asking employees to wait such a significant amount of time, we are placing them at financial risk. That is exactly what this Bill 32, in this section, is proposing. We're crossing our fingers and we're hoping that until they get paid those final wages, things won't go wrong. And once they do and things start to snowball, well, quite honestly, we start seeing people that are going to have to start to rely on government services to try to crawl out of the hole, which is just simply costing taxpayers money. If we want to be fiscally responsible, then we shouldn't be placing people at risk to have that happen. The amendment here that we have will mitigate that a little bit. Again, I don't agree with the entire section at all, but at least the amendment will make it a little less bad.

It would seem to make sense that we should support this amendment unless there's some other plan that we're not being told about, because it seems like a significant number of people are about to lose their jobs. That's the only thing I can think of by what is being proposed so that we're going to be able to save employers this \$100 million. That's all that comes to mind, Mr. Chair, because experience from the past has told me that unless an entire department – and I've seen that happen with Safeway, where they shut down an entire department. But even back then I think the most people that lost their jobs at the time were a few hundred. For a corporation like Safeway at the time, you know, they looked at it and they just said: well, it made more financial sense to shut it down. They really weren't too concerned about the employees that worked there.

I'm wondering who the minister of labour talked to about this such that these companies are poised to be able to save a significant number of dollars by implementing the changes in this one section of Bill 32. I'm hoping that members opposite maybe, I guess, will see the light. I'm not necessarily going to hold my breath here, but it's my hope that they'll understand the risk that could be proposed for my constituents and I'm betting probably some of their constituents as well who find themselves at minimum wage jobs unless, of course, you're 17 and now you're making probably \$2 an hour less than that. It was funny because, you know, Mr. Chair, I remember talking to a bunch of students – 26 schools now in my area – and listening to 17-year-olds say to me: "You know, I work

on this shift. There are five of us on shift, and three of us are going to make \$2 an hour less, but for some reason I just don't see my boss magically hiring a sixth because only five of us need to do the work. There is not magically going to be a sixth one."

12:30

You know, if those individuals are poised to lose their jobs, I don't see how this change is going to make the lives of Albertans better. I don't see how this change is going to put them in a position where they won't have to worry if they lose their job.

I find this confusing. My hope is that we will see a change of heart and the members opposite will look at this amendment A1 and will realize what we're trying to accomplish here, will see it in a favourable light, and we'll get an opportunity to put this in. Of course, there are many other aspects of Bill 32 that we have yet to talk about, which I think are going to need some significant changes. But at the very least, for now, for the sake of \$91 per termination let's not put people at risk of losing their cars, losing their apartments, maybe not being able to pay their insurance to be able to go and find that next job.

Like I said, I understand that terminations happen for a reason. I've sat in on a lot of them. They're not fun. It's not pleasant for either side; doesn't matter whether it's the employee or the employer. But we have an opportunity here with which to make things, as members opposite would say, a little less bad.

I look forward to what others have to say, and for the moment I will take my seat and see what happens.

The Deputy Chair: Thank you, hon. member.

I see the hon. Government House Leader has risen.

Mr. Jason Nixon: Thank you, Mr. Chair. I move that we adjourn debate.

[Motion to adjourn debate carried]

Bill 30

Health Statutes Amendment Act, 2020

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill at this time? I see the hon. Minister of Health has risen.

Mr. Shandro: Well, thank you, Mr. Chair. I'm pleased to rise to speak to Bill 30, the Health Statutes Amendment Act, 2020. Now, this bill will make changes which are essential to enable us to move forward with improving our public health care system. Bill 30 will also ensure that we can modernize our health legislation to make the system more transparent and more effective, both for the people and families who need care and for the caring and dedicated professionals who provide that care.

Now, related to transparency, Mr. Chair, I'd like now to take this opportunity to introduce an amendment to the bill. I'll be tabling the requisite number of copies. I assume that this will be numbered A1?

The Deputy Chair: This will be referred to as A1. Just let me take a quick look at it.

Mr. Shandro: Sure.

The Deputy Chair: It's a little long, so what I will say is that there will be, obviously, copies going to the Opposition House Leader and the UCP Government House Leader as well, and then there will be copies on the tables at the doors. If anybody does want one right now, just raise your hand, and it will be brought to you.

If the hon. Minister of Health could please continue.

Mr. Shandro: Well, thank you, Mr. Chair. Government amendment A1 to Bill 30, the Health Statutes Amendment Act, 2020. These changes will impact the Alberta Health Care Insurance Act. We're already debating this act as part of the larger proposed amendments under Bill 30. The amendment I'm proposing today will add necessary provisions to allow for government to disclose payments made to practitioners under the act for publicly funded health care services. This will increase transparency and accountability for these payments. Practitioners under the act include physicians, podiatrists, dentists, dental surgeons. As a first step we'll be disclosing payments to physicians.

Now, this is not new in Canada. B.C. currently publishes payments to practitioners as part of the financial statement of their Ministry of Health. New Brunswick and Manitoba also publish payments to medical practitioners, and there is disclosure in Ontario as well, through the media. Newfoundland has recently announced plans to add physicians to its existing disclosure. Disclosure is already being done in provinces where the majority of Canadians live.

Now, I want to be clear that this is not the same as disclosure under the Public Sector Compensation Transparency Act. We recognize that practitioners, including physicians, are independent and run their clinics as private businesses. Physicians are not employees and are not paid salaries. There are approximately 11,000 independent contractors throughout the province, and this is exactly why we're proposing this amendment under the Alberta Health Care Insurance Act. We know that physicians and the Alberta Medical Association have concerns that billing disclosure will not accurately represent take-home pay. Nonetheless, Mr. Chair, I think it's important for Albertans to have the facts on an expenditure that accounts for 10 per cent of the province's operational spending. We're committed to working with the AMA, the Alberta Medical Association, once the legislation is in place to discuss the scope of the disclosure, how overhead could be reflected as well as an exemption process based on safety.

Now, we remain open to any and all suggestions on what to include in that disclosure. Our intention is to create the most comprehensive disclosure in Canada, to add to Albertans' understanding of the important work physicians do and how we support our publicly funded health system. Today's amendment builds on others already proposed for the Alberta Health Care Insurance Act in Bill 30 to increase transparency in how much physicians are paid as well as giving physicians more choice in how they are paid. As we've said, we believe Alberta doctors should be among the best paid physicians in Canada. These amendments do nothing to change that view, but we also need to have a sustainable health care system, a sustainable payment model as well.

Health care is one of government's largest expenses. Albertans deserve to know how these dollars are being used. Mr. Chair, our government is committed to building a more responsive health system that puts patients and their families at the centre of everything we do. This proposed amendment to the Health Statutes Amendment Act, 2020, will help us increase transparency and accountability in the health care system.

Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. minister.

Are there any hon. members looking to join debate? I see the hon. Member for Edmonton-Manning has risen.

Ms Sweet: Thank you, Mr. Chair. This is A1?

The Deputy Chair: This is A1, yes.

Ms Sweet: Thank you. Just wanted to confirm. I find it interesting that, you know, this bill has been introduced into the Legislature for a period of time, but it's a pretty significant piece of legislation. It's quite large, and it impacts a lot of different areas. This is something that the government has been speaking quite a lot about in regard to how it's going to redo the health care system and it's going to save money and it's going to do all of these things, yet here we are with an amendment for a government bill by the government, which just doesn't make sense. You would think that this would've been a conversation that would have happened when the government first drafted this piece of legislation.

12:40

Of course, we know why this amendment is here and why it is that the government didn't consider this when they drafted Bill 30, and that is because this is a continuation of this Health minister's and this government's attack on our doctors. They continue to try to undermine the very health professionals who have been standing up on our front lines over the last few months, dealing with COVID, and turn this into an ongoing fight to the point where we actually know that doctors are leaving the province because of the way that this government has decided to treat them.

What I don't see in this amendment – and of course we've just received it – is any conversation around disclosure of the fact of how much it actually costs medical professionals to run their businesses. What I see here is that the government wants to take an arbitrary number of what the doctors are billing and not remove the cost of paying for staff, the cost of paying for rental facilities where they are running their businesses, equipment requirements, their requirements for PPE, given COVID, and all of the other expenses that come out of a medical professional, a doctor, providing supports.

What this will do is allow the government to inflate the numbers to say that this is what doctors are making when, in fact, what we know is that the majority of the billing that doctors do provide to the government and are paid out are not the actual numbers that they are taking home. They're not their actual salaries that they're taking home. What we do know is that for the percentage of the money that they are billing the government, they are paying rent, and they're paying for their staff, and they're paying a variety of different costs that are not reflected in this amendment or in the bill. It isn't a true number in the context of what a doctor is actually making.

Are we saying now that doctors are going to be on a sunshine list based on their bills and what they're actually charging the minister, or are they going to be true numbers, where it says, "This how much the rent is, this is how much the staff are being compensated, these are all of their costs, and then this is what our medical professionals are actually being paid"? It's not clear. Maybe it is. I mean, the hon. minister can stand up and clarify that, for sure. That would be great, given the fact that we just received this amendment.

I think, again, this speaks to the fact that even, you know, prior to the minister becoming the Minister of Health, he was clearly on social media talking about the fact that he thought doctors should actually be paid more and that he recognized that doctors have all of these other expenses outside of what they are actually being compensated as individuals very clearly. I mean, we've seen it on social media. We've seen the tweet. It circles around quite often, actually, about the Health minister saying that he thinks that doctors deserved more.

The tone has definitely changed since then. Now it's become so adversarial that none of our doctors even want to stay in the province. In fact, we also know that on the Alberta website there are many job postings for doctors. Very clearly we've seen what's

going on in Pincher Creek with the mass exodus of the medical professionals there. We've seen the exodus of doctors even out of the hon. Government House Leader's riding. There's obviously a problem here.

What we have heard is doctors saying that they're willing to come to the table and renegotiate their contracts, and they're willing to have a conversation with this government around what their compensation looks like, but they would like to have a respectful negotiation and a respectful conversation, and I think that this amendment is probably not going to help with that conversation. What this does is it tries to basically say to doctors that if you don't agree with what we're going to do, we're going to publicly shame you, and we're going to put you on a list, and we're going to make you disclose everything. Of course, the government will probably say: well, this is about openness and transparency, and we want Albertans to know where their taxpayer dollars are going. We've heard all of that before.

Then we have the war room, which is a huge amount of money. Nobody gets to know what's going on with that. We don't get to know what people are being paid. We get to see the war room putting out tweets that are, like, 10 years old about the energy sector, yet for some reason that doesn't have to be open and transparent. But what does have to be open and transparent are the very people that keep every single one of us alive, because for some reason they're the ones that we should be worried about, not the money that the government continues to spend on their pet projects and all of their different, you know, war rooms and panels and all of these different things where people are getting compensated and given honorariums and all of that stuff. No; we have to go after the doctors.

I don't understand why the government has chosen, when this whole idea of this bill, as they have been saying repeatedly, is about our health care system – and it's not about American-style health care, it's not about privatizing, it's not about people being able to pay for services. This is about improving the health care system, and then what we see here very clearly is going after the very people that have been on the front lines during COVID, who very clearly have been keeping every single one of us safe, who are just in Alberta to do what they believe is good. You know, every single one of us should be thankful for our medical professionals.

This is about publicly naming them so that everybody knows who is standing up against this government and their private health care philosophy, because that's what this is about. This is another tactic that this government has used when it comes to publicly naming people and trying to shame them into silence. We've seen it numerous times. We've seen it – well, we see it on social media all the time. As soon as someone speaks out, all of a sudden they get, you know, trolled by a whole bunch of staffers and sometimes ministers and get called NDP supporters even though many of them aren't actually our supporters. It's another great strategy of trying to shut down voices.

It's a way of trying to intervene in what should be a respectful negotiation between doctors and the AMA and the government, and instead of being respectful and instead of having conversations that should be behind closed doors, with confidentiality and all of the things that we would expect when we talk about doing appropriate negotiations, it is now turning into a public shaming exercise. Now it will be legislated, which I don't understand. I don't understand why the government feels that this is the relationship they have to enter into with doctors.

I don't know why they don't feel that, you know, people have a right to run their businesses without having to disclose every single thing that they do. I also don't see in this piece of this legislation that that consideration is even being made. It's actually not being

made. This is about taking billing dollars and publicly putting them out, which we've actually seen this government already do, pull people's billing information and talk about it publicly on social media. It's happened. I guess now they just want to legally be able to do it without it being a problem, recognizing that you can't just go into doctors' billing records and then decide to publicly disclose them because there is some confidentiality around Alberta Health Services or used to be, I guess, if this amendment passes.

You know, you want to be able to, under this section:

The Lieutenant Governor in Council may, by regulation, require the following health entities to disclose to the Minister, subject to the regulations in the form and manner determined by the Minister . . . information, documents and records, including practitioners' personal information, required by [that regulation] . . .

Now the minister has the ultimate authority to mandate that our medical professionals provide their personal information, their documents, and their records. Now we're disclosing Albertans' public health information? Is that what this does?

The minister can now mandate that doctors have to disclose their documents and records and their information. The government will now have the authority to get Alberta Health Services' information, therefore Albertans' personal health information, for the purpose of billing information. That's pretty intrusive. That's going into individuals' personal health records for the purposes of billing, and you're mandating doctors to breach their confidentiality with their patients so that you can know and then name and shame them. I'm pretty sure that Albertans are going to have a problem with knowing that documents and records and information are going to be provided to the minister whenever the minister decides to ask for them. I would almost think that you're probably breaching some other pieces of legislation, like privacy legislation, the health act, some other pieces of legislation.

12:50

Again, I think the minister needs to provide some clarity for all members of this House around how you're actually protecting personal information. It's even in here:

"Personal information" means personal information as defined in the Freedom of Information and Protection of Privacy Act.

The government is actually identifying that they are going to be taking personal information that is protected under the Freedom of Information and Protection of Privacy Act. The government is. Albertans are going to be significantly concerned about that. I think you should make sure, the government should make sure that Albertans are very, very aware that now their private information is now going to be disclosed under the information and privacy act. It's actually quite shameful, I think, that, you know, the government feels that they have this overall, arching authority to not only disclose doctors' personal information but, in fact, while asking for billing information, the capacity to go into their patients' information, because this is how it reads. Very clearly, this is how it reads.

You've included: the government of Alberta; a regional health authority and subsidiary health corporations; the AMA; Covenant Health and subsidiaries; any part or all of any person, organization, or body, whether incorporated or not – so, the private clinics – and then any part or any other person organization, or body, whether incorporated or not, that is specified in the regulations. Of course, we don't know what the regulations are yet because, again, the minister and cabinet get to decide what those regulations are.

Oh, and the minister may require an officer, director, or employee of a person, organization, or body, whether incorporated or not, that the minister believes to be a health entity to provide any information, including the practitioners' personal information,

required to determine whether that person, organization, or body is a health entity. So now we just have to disclose everything. Like, the minister then gets to determine who a health entity is and will mandate that all personal information is provided. I mean, that's pretty intrusive. That is breaching so many personal information, privacy pieces, the health act, being able to just go in and decide what information is important or not.

I'm sorry, Mr. Chair. I have to read this. I just got it.

I'm just so dumbfounded by this piece of legislation. I can't believe how much personal information this amendment in itself can potentially go into this.

Well, I have some thoughts, which I think I would like to amend, so I will sit down for now. I will look at this, and I will have some of my other colleagues stand up and maybe speak to it.

The Deputy Chair: Thank you, hon. member.

I see the hon. Minister of Health has risen.

Mr. Shandro: Thank you, Mr. Chair. Now, that was a lot of floundering, quite honestly. I'll try and start from the beginning.

[Mrs. Allard in the chair]

The hon. member said that she didn't understand: why these amendments? She supposed that maybe we're going to reply back that this is about openness, this is about transparency. No, no, Madam Chair. That's not our answer. It's the answer of her own Health critic. This is something that was demanded in this House by the opposition's own Health critic when it came to not believing me and my credibility being in question. This is something that the hon. Health critic was demanding, quite frankly. It's something that's been discussed in this House and was suggested in response to his own demands about transparency and openness, if my credibility was going to be questioned, in the amounts that are going to be paid to physicians.

Now, physicians in this province: the global budget for physicians is \$5.4 billion, as I've said many times in this Chamber, Madam Chair. That includes maybe about \$4.6 billion that's paid through the scheduled medical benefits as well as other ways in which physicians may be paid, including through clinical stipends, for example; through AHS, a health entity; or through other health entities who may also provide some publicly funded compensation to our physicians. The hon. member asked: "Why now? Why is this happening?" Well, it's in response to the demands, quite frankly, of our friends opposite and their demands for transparency and openness.

You know, the hon. member used the term "arbitrary," that the payments that are made to our physicians are arbitrary payments, which is – maybe because she said that she was dumbfounded, Madam Chair, she maybe didn't know what she was talking about. The payments that are made to our physicians are not arbitrary. Now, these are gross amounts that are paid to our physicians. Nobody understands that better than I do. For folks who are in this Chamber, my father was a physician. I understand quite well that the amounts that are paid by government are not a salary. It's a gross amount. And, yes, our physicians – the hon. member wants to bring out old social media posts from probably almost a decade ago that I made because I made that point many times on social media, that the amounts that are paid to our physicians are gross amounts, and then they pay their staff, they pay for their overhead before they take any money home.

But, look, Madam Chair, we disclose the payments that this government makes to every other vendor that's doing business with government. The approximately 11,000 physicians who operate as independent contractors providing patient services to our patients

in this province are independent vendors. They're vendors, and when anybody else as a vendor, whether incorporated or not, provides a service to government, we disclose the payments that we make as taxpayers to that business.

Now, as the hon. member was speaking, I just quickly looked at the website to see what types of businesses have those gross amounts that are paid to them before they pay their staff, before they may pay for any other overhead, Madam Chair. The gross amounts, that we disclose, that are paid to these businesses, whether it's banks, whether it's folks that provide drug testing, whether it's roofing consultants to the hon. Minister of Infrastructure – we disclose the gross payments that are made to all these vendors that do work on behalf of taxpayers. The amounts aren't arbitrary, as the hon. member seemed to claim. They're amounts that are provided in the schedule of medical benefits in legislation. We are compelled as a government to pay those amounts to physicians as soon as they provide the service to the patient. They let us know within 90 days, and we pay them that amount. It's not arbitrary. They're amounts we are compelled to pay through legislation. As I said in my opening remarks, the amount that we pay our physicians is 10 per cent of our government's budget. As the hon. members opposite have demanded – they've demanded transparency. They've demanded openness, not us, Madam Chair. It's been them asking for this transparency. We agree, and that's why we're making this amendment, so that we can have that transparency and openness for Albertans to understand the total amounts that are made to physicians.

Now, I was disappointed to hear the hon. member go off on a false narrative that's been perpetuated quite often and sometimes in quite ugly ways by the NDP and their surrogates, Madam Chair. It stems from this false narrative related to job postings and related to vacancies in Pincher Creek. They're related not to physicians leaving, not physicians leaving their community, not physicians leaving the hospital. In fact, in Pincher Creek not a single physician has filed a change request to withdraw their privileges in the Pincher Creek hospital. Quite something to understand as we continue to see our friends opposite perpetuate this false narrative. Quite disappointing, quite frankly. It gets uglier than that as they continue in perpetuating this false narrative in Pincher Creek despite the fact that no physician has filed a change request, despite the fact that this is about vacation coverage, Madam Chair, in Pincher Creek. It is not about a physician leaving that community. But it got uglier.

1:00

It got uglier when the NDP had a surrogate, a failed candidate of theirs who continued with this false narrative, and these xenophobic rantings of this failed candidate started referring to international medical graduates in our province, remembering that of all of our physicians in this province, almost 11,000, a third of them are international medical graduates and that in any given year in this province out of all of the physicians that get accredited, a third of them will be international medical graduates and that when AHS advertises when there are job postings for vacation vacancies – by the way, 179 this year, Madam Chair, much less than previous years, when it has hovered between 180 to about 210 if you look at the last six years, so we actually have fewer of these postings this year for these vacancy coverages. But this failed candidate referred to our international medical graduates as scabs, and our friends opposite have refused to distance themselves from those xenophobic rantings. If anything they perpetuated that in this House when they've talked about this false narrative.

Madam Chair, if our friends opposite refuse to speak to the IMGs, the international medical graduates, who are watching now or any

other time, if they fail to speak to those IMGs and distance themselves from those xenophobic rantings – I will say on behalf of Alberta's government that we distance ourselves from that, that international medical graduates are important and deserve to be respected, and they will be respected by Alberta's government if not by the Official Opposition.

That was disappointing to hear from our friend's comments as she floundered, went off, and started again with that false narrative. Then at the end of her comments, Madam Chair, as she was speaking as she was reading the amendment at the same time, she started going off about some allegation that the enabling amendments in these amendments here before the Chamber are somehow going to be disclosing personal information of patients.

Madam Chair, what we are doing is enabling a discussion with the Alberta Medical Association so we can talk about how the gross payments that are made to physicians would be disclosed to taxpayers for Albertans to understand the gross payments that are made. And, look, if the Alberta Medical Association wants to work with us and help us understand, although no other vendor has their net payments – and I have to admit that I would have a little bit of trouble understanding how Scotiabank or a roofing contractor or somebody who helps us with drug testing, for example, how we would disclose just, you know, the dividends or maybe a salary that they take home from their business. That would be a little bit difficult for me to understand. But if the AMA wants to propose something so that we can disclose what the net amounts are that physicians take home after their overhead is paid, I'm willing to hear that.

But this is about enabling amendments so that we can have that conversation with the Alberta Medical Association and so we can talk about what the gross payments or net payments are that are made to these physicians. No personal information is going to be disclosed publicly, Madam Chair. In fact, we also want to provide an opportunity, similar to the way that the public-sector disclosure is made.

There is an opportunity for someone who believes that their safety may be threatened if their payments are disclosed publicly. If there's an opportunity for the AMA, if they want to speak to us about an opportunity for a physician to apply for their information to not be disclosed publicly because they feel that their safety would be threatened for whatever reason, we're happy to have that conversation with the Alberta Medical Association, but right now what we have before this Chamber are amendments to allow us to have that conversation with the AMA so that taxpayers can start to see at least the gross payment that is made to a physician and perhaps maybe also see the total number of patients that are on their roster and the total number of patient visits that they do in a given year and the total number of days that are worked.

We want this disclosure to be the most comprehensive in Canada, remembering that our friends opposite seem to have been, with the hon. Opposition House Leader's comments, so taken aback and shocked that a government would want to disclose the payments that are made to our physicians. Madam Chair, this is happening in B.C. The government right now in B.C. is an NDP government. It's completely ridiculous that our friends opposite would try to politicize a decision like this. This is something that is happening throughout Canada: New Brunswick, Manitoba. Newfoundland is also going to be looking at something similar to this. Ontario's disclosure is done through media FOIP requests. Nevertheless, Ontarians can see those gross payments that are made to their physicians. It's happening throughout Canada in the majority of where Canadians live, and we believe it's time for Alberta to catch up. As we have these conversations with the AMA, I'm looking

forward to seeing how we might be able to best give the most accurate picture to Albertans so that they can understand this 10 per cent of the government of Alberta's entire budget: how is this money spent? So for Albertans to understand this 10 per cent of the budget.

With that, Madam Chair, I'm happy to continue with the debate this evening.

The Acting Chair: Thank you, hon. minister.

Are there any other members wishing to rise? I see the hon. Member for Edmonton-West Henday.

Mr. Carson: Well, thank you, Madam Chair. It's an honour to rise early this morning here in the Chamber. You know, just looking over at this amendment – and I appreciate the words of my colleague from Edmonton-Manning as well as the Health minister. I appreciate that they're willing to join this debate. What I don't appreciate so much is the fact that, looking at the time, 1 in the morning, which is fine – I'm happy to be here all night, as I plan to. But the frustrating part is that this government, at the same time arguing that this legislation is ready to be put through the Chamber and be accepted by all members, is actually amending it on the fly. They're trying to build this plane as they're trying to fly it out of here. So it's very frustrating for us to take the government's word for it that this legislation, first of all, is even ready to be passed and receive royal assent considering that they're not even ready to finish the bill itself.

So we have an amendment before us in the shadows of the night. I appreciate the comments from the Member for Edmonton-Manning because it is quite clear, in my opinion, what the minister is trying to do. If public disclosure of salaries was a concern for the minister in the first place, then I question why it didn't come through as the legislation was being drafted, as they put this legislation together. So I think, in my opinion, it's quite clear that the medical associations, the medical community, and physicians across this province aren't buying what this Health minister is trying to sell them. They're not happy with the way that negotiations have broken down and this government, you know, using legislation to stop agreements from going forward and using it to break contracts or not have to sign them as those negotiations are happening.

Physicians across this province are very concerned about that, and the government knows it. They are losing this battle to try and privatize further our health care system. The Premier, as the leader of the UCP, in running for a seat during the previous election, made a big plastic or cardboard cut-out saying that there was a public health care guarantee. You know, he neglected to put in the fine print that while publicly funded, a good chance that we're going to further privatize it to make sure there's more private delivery, which is very unfortunate. We have laws across this country, and I believe that overall we have agreed that a universally accessible, publicly funded, publicly delivered system is in the best interest of all Albertans and all Canadians, and that has been written into legislation. But this Premier feels that it is not in his best interest, I suppose, looking at maybe his re-election or whatever it might be, to actually make this the case. We see that through changes to wording in the legislation about public good within the health care system, and it's very unfortunate.

1:10

Once again we have an amendment before us with no time for us as opposition members or even government backbenchers to consult with our constituents about how they feel about this, consult

with physicians about how they feel about this. They have literally left us zero time, and it's quite unfortunate because we should be working, specifically right now, in the midst of a pandemic, with physicians and other health care providers to ensure that they are getting the supports they need, but, unfortunately, from the actions of this Health minister it has been the exact opposite.

This Health minister, through this losing battle with Alberta physicians, has done everything in their power to undermine these physicians and the work they do in our communities and in this instance now trying to pass an amendment to this legislation to further undermine them, trying to say: if you don't do what we want you to do, we will publicly disclose your salaries. First of all, once again, no consultation on what would be disclosed. The Member for Edmonton-Manning raised an important point, and we've raised the point as opposition members throughout this debate that when we talk about gross billing, it is completely different than what the physician is actually taking home.

This Premier has gone on at length about how physicians in our province are part of the 1 per cent, neglecting to explain that through the legislation in Bill 30, we are actually going to see more consideration given to physicians who would, through the private system, benefit even further, whether it be through taxpayer dollars or through opportunities for richer Albertans to jump the queue, which is incredibly unfortunate.

The Member for Edmonton-Manning also made an important point that this government likes to say one thing and do another, so when it comes to being accountable in their own ministries or departments that they're setting up – the war room is just one example, giving \$30 million a year to an organization set up by the government with zero accountability, no transparency in where that money is going, how it's being spent, who's getting paid to do that work. But on the other hand, when we're talking about people in our community who are saving lives, they're saying that they need to be more accountable. Once again, it's about undermining these vital services in our community.

We saw that, you know, at one point through this debate, we stood up with several physicians across the province. In this instance members from Garneau pediatric medical services stood with us and raised their concerns about changes in the health care system and how that's going to affect physicians across the province, and this government, this minister used his power and his office to actually dig out their information and try and use it against them. So for this minister to say that that's not the case, that that's not what this amendment is going to do is simply unreasonable because the minister has already taken that stance before. As the Member for Edmonton-Manning has said, well, now they're making it so that it's not such a big issue that they're doing it.

It's incredibly unfortunate that as we're trying to have this debate and as physicians across the province are trying to negotiate a deal for themselves that will put patient-centred first instead of profit-centred, this government is trying to move towards the idea of incorporating corporations to be able to come into our health care system and in many instances wouldn't even necessarily have to have a medical professional on the board of that corporation. It's very concerning. I raised some of my thoughts on that earlier, and I hope to have more opportunities to speak to that this evening or throughout the week.

You know, we have a minister once again saying one thing but doing another, saying that he trusts these physicians but on the other hand saying: if you don't do what we want, we may, as proposed in the amendment here before us, disclose it if we're not sure where negotiations are going or if you're not going to bend at the will of the government that we're proposing against you. It's very concerning.

You know, once again we see many issues with Bill 30 as a whole, and it's very frustrating that going through this debate, the government is actually proposing amendments to the legislation before it's even passed. They didn't even get it right the first time, and they're amending it on the fly and expecting us to just go along with what they're proposing, which is just unacceptable. Albertans deserve an opportunity to speak to this. Maybe they will support this in principle or in whole, but the problem is that this government has not given anyone the opportunity to even see this amendment before debating it just now. That's very concerning.

You know, the idea of using billing practices against physicians to try and get them to come to an agreement is incredibly frustrating. The minister mentioned that this is common practice in B.C., but the fact is that the B.C. government isn't attacking physicians across the province for their ability to be compensated fairly the way that this government is, so it's a completely different scenario. The relationship with the B.C. government and their physicians is in a completely different stage than what we have here in our province.

Once again, timing is everything. At a time when physicians and nurse practitioners and health care aides and the medical field as a whole are going through the process of trying to take care of our families, this government is using their power to try and force them to take pay cuts or to change their billing availability or whatever it might be, and it's very concerning. Right now, at the end of the day, these physicians should be focused on their patients, which I know they are, but they have a minister at their back breathing down their neck and saying, "If you don't come to a decision or if you don't bend to our will, we are going to take action to undermine your practices; we are going to bring in corporations to replace you who may not have any medical professionals on the board," so more for-profit health care in our province. It's very concerning.

This was something that came up during the election quite often, possibly more than anything besides this government's attack on working families and, specifically, the overtime issue: health care and the need to strengthen the public system, the publicly funded, publicly delivered health care system in our province. We have seen over the years, you know, the creeping of the privatized system into our communities, and we can also see, through data that members of the NDP have raised through this debate, that privatized health services do not equate to faster response times and faster surgeries.

We know that this Premier has taken time to undermine these public health care physicians and other workers, talking about how they take long breaks in between surgeries, and it's simply not the case, Madam Chair. These physicians are working just as hard as anyone else in any other system, and it's quite unfortunate that those were the legs that these negotiations started on, that the Premier would undermine these physicians by saying that they don't work as hard as privatized physicians because of the opportunity for a privatized system to, you know, bill more people or move people through faster, whatever it might be. The fact is that it is simply not the case that a privatized system is going to deliver any instance of better health care compared to the public system.

With that, I would once again just point out the fact that, you know, when this was introduced, at 1 a.m. today, this government feels that it is the right time to pass an amendment about the publicly disclosed information about physicians' compensation, giving no time to the opposition to even consult on this issue, giving no time to their own members to consult on this issue, and saying: don't worry about it; it's good to go; it's got wide support. Well, I do not believe that that's the case, Madam Chair, which is why it is such an issue for me to even consider supporting this.

With that, I look forward to hearing some of my colleagues' comments about this. I imagine that they will be in the same

position as me of being very concerned that the government would take this opportunity so late into the debate to start amending legislation that is before the House. It really goes to show that this government simply was trying to rush through this legislation, to strong-arm negotiations with physicians across the province because the Premier and this government see that they are losing this negotiation process. With all the tactics that they've tried to use against physicians, Albertans have lost confidence in this Health minister and in this government's ability to negotiate in good faith with not only physicians but a wide range of health care providers and just regular workers. It's very concerning that this is part of a bigger picture of attacks on working families in our province.

With that being said, Madam Chair, I appreciate the opportunity to speak to this amendment. I think it's very unfortunate that at this time this government is trying to push this through the House, you know, in the shadows of the night instead of when everyone has the opportunity to take a look at this and see if it's actually the right thing to do. Even if it is, once again, the timing of this amendment is really unfortunate. It really shows the true intentions of this government, that they're trying to undermine these physicians, that they're trying to use their billing against them, which this Health minister has a long history of doing, though at one point, as many members have raised, he used to believe in fair compensation for these physicians. But now that he's the minister, not so much.

With that being said, I hope that all members will consider this amendment. I'm not so sure I'll be supporting it, but we'll see.

Thank you.

1:20

The Acting Chair: Thank you, hon. member.

Hon. members, we are on amendment A1 to Bill 30. Are there any other members wishing to rise to join debate? I see the hon. Member for Calgary-McCall.

Mr. Sabir: Thank you. I rise to speak to this amendment. Let me begin by saying at the outset that we are all for transparency. When we were in government, actually, we improved public disclosure, transparency, led by my colleague the hon. Member for Calgary-Buffalo. I think nothing can be further from the truth than that we are not in favour of transparency.

We have said it before, and I will say it again: it's a profoundly flawed piece of legislation that has adverse and lasting impacts on how we deliver public health care. At a higher level, this will pave the way for a two-tier, American-style health care system, where private, for-profit corporations that are not physician owned or physician controlled will be able to bill Alberta Health Services. In other words, the public will still be paying, but Albertans' health will be a for-profit enterprise if this bill passes the House.

Any changes as a matter of public policy that the government is introducing, whether they call it transparency, whether they call it openness, must be viewed in the context they are brought forward in. When we look at the context of this piece of legislation, there is a history – there is a long history, a year-long battle – between this government and health care professionals and doctors. It is the history of a broken relationship between this minister and health care professionals. So we have to analyze these changes in the context of that broken trust, that broken relationship that this government and this minister have with health care professionals, with doctors.

It's no secret that that relationship is broken. At a personal level doctors have said that. Individual doctors, physicians have said that. Their representative organizations like the AMA have said that. This minister and this government have completely failed to work with the doctors and sort out these important issues. That was the

reason that nobody is able to trust them when they make changes to the health care file.

Prior to pursuing disclosure and transparency as a matter of public policy, the Minister of Health was using it as a threat to the doctors. There are a number of news articles, there are a number of, I think, statements coming from the government and the minister that this disclosure was used somehow as a threat against the doctors. We do know that the government has led a long campaign of smear against Alberta doctors, Alberta health care professionals. Those were hailed as heroes everywhere else. Our government was the only government on Planet Earth who was fighting with the doctors, with the health care professionals in the middle of a global pandemic.

The amendment they are putting forward is in no way, shape, or manner pursuing transparency as a matter of public policy. There are many, many other important issues where the government is way less than transparent, where they didn't follow transparency as a matter of public policy. For instance, they promised a fiscal update – at least, that was scheduled as per the existing laws – but they delayed that. They were less than transparent. In the 2019-20 fiscal update their own numbers said at page 144 that the break they are giving to already wealthy corporations was around \$4.7 billion. In the 2020-21 fiscal update that reference was missing. They were less than transparent. They entered into a deal with Keystone XL that would take \$4.7 billion of Albertans' money, and we don't know anything more, other than that they are preferred shares, on what the details of that deal are. They were far less than transparent.

Now, I think we will not buy this argument that somehow out of the blue the government thought that they are now pursuing transparency with the doctors. Everyone knows the government's record with the doctors. No one believes that they are pursuing this as a matter of public policy, that they want to pursue transparency. They have been less than transparent on many different occasions. What this amendment is doing: for the most part, it is not clear how exactly the government will pursue transparency. It's just giving some arbitrary powers to the minister, who can then choose, at his discretion, to do things if he thinks that that's important to him.

1:30

For instance, it gives the minister power of "further defining or setting out criteria in respect of 'publicly funded health services' for the purposes of section 20.3(1)(b)." We do know through this piece of legislation that services may still be publicly funded, but they will be privately delivered by entities who exist to make a profit. In other words, Albertans' health will be treated as a for-profit enterprise, still publicly funded, but private entities will be able to make a profit out of that. So it's giving further powers to the minister that he can further define and set out criteria in respect of these services.

Then there is reg-making power:

- (i) respecting the identification of any person or any part or all of an organization or body, whether incorporated or not, as a health entity for the purposes of section 20.3(2)(e), and
- (ii) specifying part or all of any person, organization or body, whether incorporated or not, as a health entity for the purposes of section 20.3(2)(f).

That's in line with what we have been saying, that now there will be persons other than physicians, there will be personal corporations other than those held by physicians, that need to be identified by the minister as health entities, private entities.

Then again the same minister, who is not trusted by doctors, not trusted by the AMA, will have power under this amendment to establish "criteria that must be met to exclude the disclosure of information, documents or records under section 20.3(5)." If it's

about transparency, if it's about accountability, then the government should have done some homework. There should have been a little bit more information. What are those circumstances? What are those documents? What is that information that may need to be excluded by the minister?

Then further:

respecting the documents, records and information including practitioners' personal information, required to be disclosed under section 20.3(2) and (4), including the types of documents, records and information required to be disclosed.

Again, that's another broad power that the government is handing to the minister, that they can make regulations respecting these disclosures, where they can require even personal information.

I think that when we read all these provisions together, what this government appears to be doing is that they now will be looking into health records as well to see what services doctors actually deliver. More than transparency, what this speaks about is how broken that relationship between doctors and this government is that they need to bring in provisions, they need to grant themselves powers so they can look at Albertans' records, doctors' records, whether those services are delivered or not. That's the impact of these amendments if passed.

Then it goes on further. There are a lot of powers that the minister is granting himself in this change. Regulations made under section 1 (n.2) to (n.6) may apply to all persons or organizations or bodies to which this section applies, or to a class of person or organization or body to which this section applies. There may be different regulations for different classes of such persons or organizations or bodies.

Here they're clarifying that since there will be a two-tier health system, one delivered by physicians, the other delivered by for-profit corporations, they may need a different set of regulations for a different set of entities. So, again, clearly what Bill 30 does is it creates a two-tier system, and this provision clarifies that regulations may be made to deal with different entities differently.

Furthermore, respecting disclosures of publicly funded health services, it says essentially that the minister may disclose these benefits, these amounts, and it defines publicly funded health services to include health-related programs and services that are funded fully or partially or directly or indirectly with public funds. Clearly, there is a scenario where there will be services that may not be fully funded by the public health care system.

In section (2) there's an interesting provision, where "The Lieutenant Governor in Council may, by regulation, require the following health entities to disclose to the Minister, subject to the regulations and in the form and manner determined by the Minister or under the regulations, the information, documents and records, including practitioners' personal information, required by the regulations with respect to any funding received, payments made or benefits provided by that health entity in respect of publicly funded health services and in respect of practitioners . . ."

This goes on to include the Alberta Medical Association within this disclosure as well as other organizations, too. Again, it sounds less about transparency and more about this minister's desire to control these entities through these powers. If transparency was the goal, the government had one year to think through these changes, to talk to doctors and not fight with the doctors, consult with the doctors, consult with their representative organizations, consult with health care professionals about these changes.

1:40

I remember when we were in government, and I think all of these challenges were there. We were going through challenging times as well due to the drop in commodity prices and resource revenues.

We had to negotiate with all these organizations, and based on those good-faith negotiations, we were able to find solutions. But in this case, since this government started with ripping up their contracts, that relationship is broken, and now they're using these powers to . . .

The Acting Chair: Hon. members, we are on amendment A1, and I see the hon. Member for Red Deer-South has risen to join debate.

Mr. Stephan: Thank you, Madam Chair. I'm grateful for the opportunity just to stand and speak for a few minutes in favour of this amendment to Bill 30. This will be the first time I've ever spoken at almost 2 o'clock in the morning. I'm sure that no one is really watching this other than my friends here, but I just want to let my friends in this Legislature know that one of the reasons I'm excited and want to support this amendment is that it also supports the good work that's done in Public Accounts and by our Auditor General.

In 2015 the Auditor General had done an audit in the Ministry of Health and identified a lack of internal controls as it related to physician billing. We had the opportunity in Public Accounts to meet with the Ministry of Health, and I know that they're working hard and continuously seeking to be better, as we all need to in government, and this supports that.

Our physician billing: as we know, our Health ministry is the largest budget department in government, and as it should be; it provides health care to Albertans, individuals and families. Of course, within the Health department physician billing is the largest cost item. Of course, in the real world you would always make sure that you have good internal controls around your largest cost driver. That would be really key. Unfortunately, since 2015, when the Auditor General had identified that lack of internal controls, the members opposite, when they were in government, unfortunately failed to address that. I think that this is a step in the right direction in terms of a course correction.

Before I became a member of the Legislature, as an MLA, I had the opportunity to serve many professionals, including physicians, and I have a deep admiration and respect for the work that they do. They have a very important job, and they provide a great public service, and many of them are personal friends of mine. I do know, though, anecdotally, that my understanding is that while a great majority of our physician members are accurate and complete in their billing, in some cases, unfortunately, that's not the case. For those who are accurate and careful in their billings, it can be discouraging to see, perhaps, noncompliance in billings and overbilling without any government detection or recourse.

This Bill 30, in terms of transparency, is a step in the right direction. As we increase – and I appreciate the members opposite speaking in favour of transparency, and I actually do hope that they support this amendment. I think it's in the public interest. As the public becomes more aware, as we increase taxpayer literacy – we often talk about financial literacy; this is an opportunity to increase taxpayer literacy – that will result in more accountability, and I think all members in this Legislature, both on this side and our friends, the members opposite, would agree that as we have more accountability in government, this will help to ensure that there is sustainability in important services such as health care services.

I appreciate this amendment. Having had and having the current opportunity to serve in Public Accounts, this amendment not only supports and strengthens Bill 30, but it also supports the great work that our Auditor General does and that the committee does in Public Accounts, and I hope and encourage all members in this Legislature to support this amendment.

Thank you.

The Acting Chair: Thank you, hon. member.

Are there any other members wishing to rise? I see the hon. Member for Edmonton-Highlands-Norwood.

Member Irwin: Thank you, Madam Chair. I'd better take a sip of water because, in fact, it is my first time speaking in the Legislature this week, and as I always do the first time I speak during the week, I like to give a shout-out to our front-line workers and to our health care workers and to our essential workers. It's quite timely that I have the opportunity to speak to Bill 30 and to this amendment specifically this evening, or I guess this morning, because I do know that a whole heck of a lot of our health care workers are continuing to do heroic work on the front lines with, you know, very little praise even though we try to remember to support them. I think that as this pandemic continues, I worry that we'll forget about the fact that they are still continuing to sacrifice so very much. So thank you. I know that somebody mentioned that folks probably aren't watching, but in fact I've had a couple of messages already at this hour that people are watching. If any front-line workers, any essential workers are watching, know that we support you.

I want to just address a couple of comments, too, before I dig into the content of this amendment, which, of course, we only received just a short time ago, so there's a lot to digest in this amendment. But I know the Health minister made some comments about xenophobia from some sort of NDP plant. I'm not sure what that was all about, but I would point out that, you know, calling NDP supporters xenophobic is quite rich from a government that continues to employ a racist, homophobic speech writer.

What I would like to do, though, is that I'd like to speak to this amendment, and I'd like to speak specifically about some of my concerns and some of what's led up to the content within this amendment. I've not spoken to Bill 30 in a little while, and I just want to remind those folks at home who are watching – and there are some, and I'm sure there will be more tomorrow catching up – that Bill 30 is an omnibus piece of legislation that is a concern to us on this side of this House primarily because of the fact that it really is a push towards American-style health care.

I did speak at length about my pride in Canada's public health care system and the fact that so many of us are proud of our public health care system. You know, I said that perhaps the phrase I've used the most recently is: in the midst of a pandemic. Right? I mean, the fact is that we are in the midst of a pandemic. This is an opportunity for this government to be strengthening our public health care system and to be supporting our health care workers, be they nurses, doctors, folks working in hospitals as custodians, as lab workers, whatever it might be. Instead, they're choosing to attack, and they're choosing to privatize. We can look no further than the example of lab services as one where this government has chosen to move to privatization.

As I've spoken about in this House multiple times, we're concerned about this. We're concerned about the slippery slope. We're concerned that at a time when we should be investing in and we should be very much strengthening and expanding our public health care system, instead we're going back to the failed old ways of, you know, Ralph Klein and his third way.

1:50

This is not patient-centred care that we're seeing; it's, in fact, profit-centred care. It's the wrong path for all of us, and it's another attack by this government on the hard-working doctors in our province. In fact, I just see a notification right now from a doctor who says that people are watching and that they appreciate our opposition to the UCP's corporatization and privatization of health care. So there you go. At 1:51 a.m. there are not only, you know,

keen AB Leg. watchers watching from home, but there are, in fact, physicians who are watching and watching closely in particular when it comes to the amendment that this government has put forward.

I'd like to speak a little bit about the specifics around this amendment. Now, I'm questioning why this government is continuing to push forward on the reference to discredit our hard-working physicians, like the one who just tweeted at me in the middle of the night, right? We're at nearly 2 a.m., and it was I think around 1 a.m. that this Health minister introduced this amendment. I wonder, too, that it seems to be just another example in a pattern of behaviour by this government, a government that has refused to bargain in good faith and work with those very doctors, those very physicians who are busting – I almost said something unparliamentary – who are working hard every single day in the midst of a pandemic.

You know, the other thing I wonder about is that I didn't see this – and I'll do more digging, and I am happy if some of the members opposite would like to stand and correct me – in the UCP platform. In fact, I seem to remember that Premier having some sort of public health care guarantee. My memory is a little bit fuzzy at the moment, but I'm quite certain that there was an emphasis on public health care. But, clearly, that promise has been very quickly – very quickly – shredded. Like I said, we're proud of our public health care system, but I think this Premier is seeing public health care as sort of an unnecessary expense so that he can pay for his \$4.7 billion corporate handout.

Let's talk a little bit more about – obviously, I'll speak to the main bill more when I have a chance so that I can focus on this amendment. Let me return to one of my previous questions. Why introduce this at this hour? Why wasn't it introduced earlier? What prompted this? I'd like to hear a little bit more from the Health minister about some of that, some of the background, because it's not fully clear to me yet exactly what has initiated this. It's interesting. He did note something along the lines of the fact that doctors will be able to apply for exemptions, and I think this is outlined in this amendment as well, that the minister may be able to exclude information.

This might be similar – and, again, we've only had a short period of time to analyze this amendment – to the government of Alberta sunshine list, which I have a little bit of familiarity with. I know that with that one, folks are able to apply for exemptions; for instance, if they feel that, you know, their safety might be threatened if somebody knows that they make X number of dollars a year. I know that there were some folks working in various ministries who were able to apply for exemptions so that they would be redacted from the sunshine list. I wonder if there will be many doctors who will be applying for exemptions. I think a lot of doctors right now are fearful and are worried about the repercussions of a government that have shown themselves to be quite vindictive.

Here's a personal story. Just this weekend I and my fantastic colleague the Health critic, in fact, the MLA for Edmonton-City Centre, were at the first-ever Edmonton black-owned market, which was a fantastic event put on by a number of community members, grassroots. In fact, there were hundreds upon hundreds of people who attended. They were lined up for a very long time. It was great, and I'm hoping that they'll be able to do another one, so a shout-out to all the folks who were behind the black-owned market this weekend.

[Mrs. Pitt in the chair]

How does this connect to the amendment, you ask? Well, let me tell you. As I was leaving, a doctor came up to me and she said:

"Oh, my goodness. Thank you and your colleagues so much for all the work you're doing." She went on to explain that she is a physician here in Edmonton. I won't talk about her whole story because, in fact, I think they're going to be seeking legal advice on various things, but she went on to say that she's just so disheartened right now. She's, you know, feeling like everything that she and her colleagues are trying to do to support the public health care system is just being attacked, and it's making it so much harder for her to do her job.

She went on to say that she's fearful, and she said that she's had to make herself anonymous on social media. In fact, I didn't even know I was following her and whatnot as her name is not her own, because she is so fearful of what could happen if she speaks out against this government. This is absolutely a true story. As soon as I started to read this amendment, I thought of her, and she's just one example who happened to see me on the weekend. I can imagine that there are many physicians right now across this province who are worried, who are fearful, who are stressed, who are also having to be anonymous, and who may fear that by having a sunshine list and by having their personal information made public, they will be subjected to further attacks and that their safety may be at risk.

That's quite worrisome to me as well. Again, these are folks who do so much for all of us. There's not one person in this room who hasn't been impacted by the health care system, right? You may not have been impacted directly, but I'm quite certain that you can tell a story of a family member who's relied on a strong public health care system and who's relied on putting their trust in our physicians.

Speaking about trust, I think this is about a lack of trust from this minister. On this side of the House we trust our doctors. We trust our medical professionals. It's starting to become clearer and clearer that this is a minister that simply does not trust our physicians. You know, he said something, and I tried to write down as much as I could as he was speaking. He mentioned that, you know, this is happening in other provinces. He said that B.C. already has one. Well, I don't think we can compare B.C. to Alberta right now, because guess what B.C. isn't doing? B.C. isn't attacking their doctors right now. B.C. isn't seeing countless physicians leaving. In fact, they're likely welcoming a lot of our physicians from Alberta, which is sad. I smile, but I'm quite, quite saddened by the fact that we are losing so many incredible physicians across this province.

As a born-and-raised, proud rural Albertan – I've spoken about this much in the House, that, in fact, I've lived the majority of my life in rural Alberta – to see multiple communities around where I grew up losing doctors, Westlock as an example, is quite concerning. Seeing multiple doctors leaving communities where I taught in east-central Alberta is quite concerning.

We can't simply say – well, the minister can say it, but we can't accept, you know, that we're just doing what other provinces are doing, because you're not doing what other provinces are doing. Other provinces right now are supporting and uplifting their front-line health care workers and are investing in health care. In fact, I've got another person just saying: "I'm watching . . . as my family is deeply troubled by the attacks on doctors and public health. As teachers we stand with doctors! As patients we stand with doctors!" I can't see the rest without unlocking my phone, but that's from Stephen on Twitter. Again, there's somebody else out there, a teacher, who is watching right now and is expressing his solidarity with doctors – I won't start talking about the attacks on teachers and education right now because that will certainly make me not on topic – the point being that I think that we're seeing Albertans very much solidifying around their support for the various groups that continue to be attacked by this government, whether they be doctors, teachers. The list goes on.

2:00

Now, the other interesting thing is that, you know, we need to – we're in late July 2020. The pandemic has been very much a presence in our lives for the last – well, I believe it was mid-March when things started to really shut down. A quick review of some of the events leading up to the introduction of Bill 30 shows that this government has been waging a war on doctors since before COVID had even been a thing here in Alberta.

As an example, back in 2019 doctors were already warning about what they were seeing and their fears about what this government would introduce. I'm going to talk about some of these historical pieces because it also leads me to wonder, given the fact that this government and this Health minister have been building towards Bill 30 for so many months, again, even pre-pandemic: why wasn't this amendment included in their original piece of legislation? What changed? What changed in the last short while that made them decide to introduce this now?

We can go back, in fact, to – let's see here – December 2019, when the AMA was already warning that the proposed cuts by this government were troubling and the impacts on primary care physicians could lead to devastating impacts on rural practices. Oh, my goodness, if the English teacher in me doesn't show that as a good example of foreshadowing, then I don't know what is, right? They were already clear. They were already concerned, back in early December 2019, that the approach by this Health minister and this government would have huge impacts, particularly on folks living in rural and remote areas, but they also said that patients – patients – would be severely impacted. They said that the proposed changes that this government was putting forward would target comprehensive primary care and, specifically, patients who were elderly and with chronic or complex conditions.

Not only that; the concern was that the changes to doctors' compensation would leave doctors feeling very much undervalued, and that's exactly – that's exactly – what we've seen since then. We've seen whole, large numbers of doctors who are feeling just that, who are feeling scared, disillusioned, feeling undervalued, so much so that many of them have either picked up and left this province or are starting to do so. You cannot tell me that these changes are something that is just happening in the last few months in the midst of a pandemic. There's been a clear record, all the way back to December 2019.

This minister has used similar lines around getting payment, getting spending in alignment with other provinces. In fact, I just heard him on CBC Radio. Was it today or yesterday? I don't know; time is very confusing at the moment. I'm sure it is for most people in this Chamber. He was using that same line of ensuring that spending is in line with other provinces. The Premier, too, is on the record talking about managing our spending and managing deficits and whatnot.

Now I want to jump forward. That's December 2019. Again, there were a number of pieces that happened prior to December 2019. Let's jump forward to March 2020, when again hundreds of doctors raised the alarm about what this government was doing. In fact, nearly 600 doctors, I believe, 568 doctors, signed a letter urging, urging this government – again, this is March 2020 – to stop with their attacks on doctors and stop with their changes to doctor compensation. These doctors said that, truly, Albertans have no idea what they're in for if the current provincial government continues along their course, already – again, this was pre Bill 30, I might also add – raising alarms about privatization as well and, again, just as they'd warned many months earlier, just as the AMA had warned many months earlier in 2019, concerns about the impact on patients and on health care in rural and remote . . .

The Chair: Any other members wishing to join debate? The hon. Member for Calgary-Buffalo.

Member Ceci: Thank you, Madam Chair, for the opportunity to join debate on this amendment and to address some of the statements that were made by the Minister of Health and to also speak to generally why I think Bill 30 continues the attack on our health care system and doctors, that is unwarranted.

One of the first things I'd like to speak to, of course, is the main rationale, as I understood it, that, incredibly, the NDP opposition demanded transparency in this regard. I'd just like to go on record and say that, you know, the transparency that I believe is necessary with regard to this government is all of the things that they do behind closed doors that Albertans should know about. Those things include the formation of a war room for \$30 million a year. We're not given any accounting of how that war room spends its money, where it spends it, how much it pays its staff. That transparency has been asked by countless Albertans over and over and over again, including editorials and newspapers and media sources, and no transparency has been forthcoming for as long as the war room has been there, and it was formed immediately, as I recall, after the formation of government back in the spring of 2019.

Another part of transparency that seems to evade this government is things like the fiscal update, delaying that and not providing Albertans with an understanding of where the fiscal finances are for this province, what the last year's budget accounting is. The delay of that fiscal update is egregious, in my estimation. Other provinces have followed through and done that even during these COVID times and not continued to lean on that excuse to provide a fiscal update I think it's by the end of August. We'll be back here to deal with that towards the end of August.

Transparency is pretty critical, obviously, Madam Chair, in terms of all government actions, and to suggest that sunshining doctors was something that the opposition pushed the government to do, to bring forward this amendment, is laughable at very best. You know, consultation that this government has done, time after time after time, and not provided actual information about who was consulted with, when, what the results were of the consultation is another egregious lack of transparency by this government. For instance, the decision to close or do third-party partnerships with parks in general: where were the consultations there? I certainly don't know of any. Obviously, the KXL contract, that no Albertan knows the details of, is another lack of transparency. If we're asking for transparency on all these things that I've mentioned – the KXL, the numerous panels, the consultations, the fiscal update, the war room – this government has been not transparent. To say that we've pushed them to be more transparent and they're bringing forward this amendment on sunshining doctors is not, in my estimation, credible.

2:10

What we did when we were government: we negotiated with doctors. We sat down in the height of the recession, back in 2015 and 2016, at the table and worked with them to take monies that they had in their contracts, the AMA contract. That's how we undertook to work through this situation with doctors.

Another thing that was mentioned by the Minister of Health was the other provinces that do sunshine their doctors. He mentioned that Ontario does it through media FOIP requests. I remember, a couple or more years ago, that the government of Ontario was in a fight with their doctors and was threatening to sunshine them. In fact, the media did get the lists of, you know, the highest 10 categories of doctors or groups of doctors and what they were paid. I can remember that that didn't go well for the government of

Ontario in terms of working or not working with their MA, their provincial MA in that case. It was a long, protracted fight between those two parties, the provincial government and the MA. If memory serves, I think the Minister of Health in that case was moved to another position in government, so it didn't go well for that person in terms of being behind this sunshining of doctors and fighting with the MA.

This action that's been brought forward today – I just echo some of my colleagues. You know, if this was a well-thought-out piece of legislation in terms of Bill 30, we would have seen this embedded, no doubt, in Bill 30. The fact that it's been brought forward now seems to suggest that it's a tactic being propagated to essentially use as a leverage point over the docs, the AMA, and the College of Physicians & Surgeons. It has all the earmarks of a pressure tactic that's come forward to kind of assert the will of government over doctors and their bargaining unit, the AMA, and I don't think it is the way to go about things. It doesn't seem to be an extension of a hand of good faith in an argument with the docs and the AMA. It seems to be an attempt to show who's in charge and to essentially say: this will be used to essentially put you in your position.

But I do digress a little bit from what I think is important to recognize, and I think it's important to recognize that our demands for transparency and openness can't be held responsible for this amendment coming forward. Certainly, we have a number of amendments to bring forward with regard to Bill 30 and will be bringing them forward, but this is not how we would have organized this whole area.

With regard to the government of Alberta sunshine list, yeah, I remember doing that work when we were in government. People receiving government taxpayer money over \$125,000, if I recall the threshold, were sunshined. That threshold increased a little bit each year as cost of living and inflation went up. We did it differently, and there were people in different subgroups who were exempted from the sunshine list. I believe AIMCo is one of those groups that argued that they should be exempted because of the business intelligence that would provide to other companies that were out there in the private sector that had investment professionals. There were three or four other entities within government or related agencies within government that also were successful in claiming the exemption as well as some people in the legal profession who were either in related agencies or in security for the government of Alberta.

So sunshine lists are not strange to me or us on this side, but the timing of this sunshine amendment is suspect. It won't lead to increased abilities to sit across tables with the AMA. It won't provide greater trust and support for that relationship. What it will do is sour it even further. But, like my colleague from Edmonton, I absolutely believe that people will see through, will lift the veil on this amendment and see through why it's here. As I said, I think the people watching absolutely will get why we're here defending the right of physicians to negotiate through the AMA. It's not the subject of this amendment, but it is all wrapped up, Madam Chair, with that fight.

I want to continue with Bill 30 and where this amendment fits. You know, there are a number of important things in the omnibus bill that is Bill 30. We will be prepared to bring forward numerous amendments to make this a better bill. I do see that a part of the amendment with regard to section (2) on page 3 talks about "by regulation." That speaks to the part that will look at kind of whittling down what the government payment to the physician is and then taking off things like overhead and those other parts. That's going to be in regulation and going to be sorted out at a future

date. Those kinds of conditions, I guess, in the amendment always give me some pause because we don't really know.

After it leaves this place, this House, in terms of whether it's supported or changed, then it'll go to the minister and the ministry to actually work out in regulation what the effect of that section (2) will be. So I and physicians and others won't know how that work is done. It won't be done in public, Madam Chair. It'll be done probably behind closed doors at the ministry, under the minister's direction, and who's to say that that has the accuracy behind it that fits with the real-world situations of physicians in their practices, unless there was some attempt at that point to work with the college or the AMA in particular with how those regulations would actually be, the form and manner of those regulations. It says "determined by the Minister," so it doesn't really indicate that the minister needs to go beyond himself and his ministry to take care of that work that then will form the substance of how physicians need to go through their own paperwork.

2:20

Speaking of paperwork, there are 11,000 doctors out there in the province, and the amount of time that this will take to make happen is pretty substantial, though there are probably hundreds of thousands of people on the government's sunshine list. I know that it's a much easier document to fill out for people, government departments, and related entities, but the one that we're talking about here, we really have no indication of what it's going to look like, how long it's going to be, how much time it'll take, and will it be accurate with regard to the real-world experiences of physicians throughout the province?

The other point I want to bring up with regard to the doctor sunshine list is just to reiterate that I don't think it builds on the relationship that needs to necessarily be improved between doctors and the Minister of Health and the government of Alberta at this time. I think we need to recognize that during the pandemic the medical profession has stood tall for Albertans and helped us out in every regard.

Just back to the minister's point about – I don't think it's just about doctors. I think he mentioned a number of other allied medical professionals that would also be covered under this sunshine list, and who's to say that their situations with regard to their practice situations are as easily understood or understood clearly enough to provide: what is take-home pay, and what is covered under their overhead and other kinds of staff costs? I heard the minister talk about a number of related medical professionals but wasn't quick enough to write them all down. It seems to me that it is a pretty complicated thing to do with regard to sunshining all aspects of the medical profession and the workers in it.

How long will this take to really come up with a sunshine list? Will it be one year? Will it take more than a year? Those are questions that probably some people who are watching would have.

I think that, lastly, I just want to reiterate that the opposition has pushed this government to be more transparent, but you can bet that it was on things like the KXL contract – we don't know the details of that still, and it's \$7.5 billion whereas on an annual basis doctors are much less than that – the numerous panels that have been formed by government, the consultations that have taken place that we don't know the background of, the fiscal update, which has been delayed, and the war room, which continues to operate.

Madam Chair, those are some of the concerns that I have with this transparency amendment that is on government; it is not on the opposition. The government brought it forward, though they continue to try and say that it's at our pressure, that we're pressuring them to do this. Nothing could be further from the truth. With those

kinds of considerations I'll think to take my seat and listen to further debate on this issue.

Thank you very much.

The Chair: The hon. Premier.

Mr. Kenney: Thank you, Madam Chairman. Let me thank all the members who are in the Chamber at this late hour to engage in this important debate. I rise in support of the amendments to Bill 30 tabled by my colleague the hon. Minister of Health earlier on to allow for greater transparency with respect to 10 per cent of the budget of the government of Alberta. Really, the fundamental question is why this has not been done long before now.

Madam Chair, 60 per cent of the Canadian population live in provinces where disclosure of physician compensation as part of sunshine policies is the norm, and with the pending addition of Alberta and the province of Newfoundland and Labrador very shortly, the vast majority of Canadian provinces will have adopted this as the new normal policy.

Madam Chair, I am disappointed. I often say that I'm disappointed but not surprised by positions taken by the NDP. In this case I am both disappointed and surprised. I'm surprised that the NDP is supporting a lack of transparency and indeed secrecy for a segment of spending which represents 10 per cent of the government of Alberta's budget and the most highly paid people in the public sector, businesspeople who are contractors and vendors to the government of Alberta. I cannot think of any other sector in our society for whom they would support such a lack of transparency.

Indeed, I would remind the New Democrat MLAs that it was the New Democrat government in Manitoba that, I believe, was the first in the country to bring in a sunshine list to include physician compensation, and it was a New Democrat government in British Columbia that brought in transparency for physician compensation. Why is it that the Alberta NDP is opposed to the principles supported by their – it seems that solidarity does not apply when it comes to transparency for 10 per cent of the government budget.

Madam Chair, let me reinforce what I always say about the question of physician compensation: we value the essential work done by physicians, both general practitioners, family physicians as well as specialists, surgeons, all of whom obviously constitute an essential element to the delivery of health care. We value them so much that we compensate them as the most generously compensated physicians in the entire Canadian federation and seek to continue to ensure that Alberta's physicians are amongst the best compensated in Canada. And they, by the way, are likely at the high end of the compensatory spectrum for all of these single-payer universal public health care systems in the world because according to the OECD, if you go back 20, 30 years in data, Canada typically ranks in the top decile of per capita health costs for single-payer universal systems.

Our friends in the NDP will immediately jump out and say that the American system is more expensive. Yes, it is, Madam Chair, for a number of reasons, but I would compare ourselves to the other single-payer universal public state-run systems throughout, for example, most of Europe, Australia, New Zealand. According to OECD data, we're at the top end of the cost curve. Given that physician compensation tends to be if not the most, certainly one of the most important factors in overall health care costs, it's reasonable to infer that the Canadian physicians are amongst the best compensated amongst the world's public systems. I don't see that as a problem.

I don't say that as criticism, certainly not of the physicians nor of governments in this country. Physicians are people who spend years

in university, incurring significant amounts of student debt, deferring income, who don't reach their peak earning years until later than most professionals do. They make very significant sacrifices, and we do acknowledge, as the hon. Minister of Health does in this place on a daily basis, that as the vast majority of physicians have structured their affairs to be professional corporations that those professional corporations, in turn, do bear significant costs, overhead costs, very typically to run their businesses. Those are all absolutely true facts. That's one of the reasons why the government of Alberta believes that we ought to compensate physicians not just fairly, Madam Chair, but generously, and it is why, when we raise the fact that Alberta's levels of physician compensation are an outlier within Canada, we don't do so critically. We do so objectively to inform the debate, which would be even better informed by the kind of transparency which this amendment will create.

2:30

Now, on the other side what do I hear? Talk about attacks on physicians. Madam Chair, you know, it's just so typical of the NDP. They just cannot let go of the divisive rhetoric on every issue all of the time. What is this alleged attack on the physicians? Well, it was simply this: a good-faith and transparent effort by the elected government of Alberta to seek to stop significant annual increases in physician compensation in the midst of a fiscal and economic crisis. This government has not approached the Alberta Medical Association or any other representative body of physicians seeking an overall reduction in their compensation even though they have, according to the Canadian Institute for Health Information, enjoyed a 289 per cent increase in gross billings by Alberta physicians since 2002.

Now, maybe that doesn't mean a lot to some people, Madam Chair, so let's put it in comparison to British Columbia. Their physicians saw a total increase in gross billings over the same 17-year period of 100 per cent. Just think about that for a moment. These are not opinions. These are not the kind of ad hominem attacks that we get from the NDP. These are hard data furnished by the Canadian Institute for Health Information national health expenditure database, an unassailable objective data set, which indicates that overall physician compensation in Alberta has grown nearly three times faster than in the province most comparable to us in scale and geography and demography, the province of British Columbia, which through much of that time has been governed by New Democrat governments and is currently.

Madam Chair, I find this even more peculiar given that British Columbia, by the way, has an older population. Older populations by nature generate higher health care costs, yet British Columbia has substantially lower health care costs. Why? Primarily because they have managed to exercise greater control and discipline with respect to compensation, which is half the total budget of the government of Alberta, and it is 10 per cent as it relates to physicians in particular.

So how is it an attack? How is it a war on physicians, as constantly suggested by the NDP, for us simply to say on behalf of taxpayers – we are in the midst of an economic collapse the likes of which we have not seen since the Great Depression. Over 20 per cent of Albertans are out of work. Hundreds of thousands of others have given up looking for work. The unsung heroes of our economy, tens upon tens of thousands of small-business women and small-business men, have lost their life-savings or are at risk of doing so. The hon. Minister of Finance will be reporting to this Assembly in about a month's time, I suspect, the largest deficit, certainly in absolute terms but also possibly in relative terms, in the

history of this province. It will be north of \$20 billion. There has been a \$13 billion collapse of revenues.

Madam Chair, since 2014 the average private-sector family's income has declined by at least 10 per cent while the previous government maintained zeros with respect to public-sector wage levels for nurses, for orderlies, for health care aides, for the public service broadly, so minus 10 per cent for the private sector before the COVID catastrophe, zeros for the broad public sector before the COVID catastrophe, but over the same five years a 23 per cent increase for 10,800 Albertans who happen to be physicians, who we value and who we want to pay generously. How is it an attack? How is it a war to suggest that that cohort, which represents one-quarter of 1 per cent of the Alberta population but receives 10 per cent of the budget of the government of Alberta, should in some modest way participate in the shared sacrifice that Albertans are living through today?

I just heard the hon. the Member for Calgary-Buffalo, the former Finance minister, who talked about how they negotiated with the physicians, and they, quotes, took money back from their agreement. When he became Finance minister, Madam Chair, the gross physician compensation budget in Alberta was \$4.2 billion in 2015. When he left office it was \$5.2 billion. Again, it's not an opinion; it is a fact. It went up by 23 per cent under their watch. It went up by 6 per cent a year while they held nurses at zeros, while the private sector saw the floor drop out from under it. One-quarter of 1 per cent of the population, the vast majority of whom are in the top percentile of income earners.

What the left always attacks is the terrible evil one percenters. We don't hear that class warfare language from the NDP anymore in this respect, Madam Chair. They deserve to be in the top bracket of income earners because of their profession, because of their knowledge and skill and the sacrifices that they have made and the overhead costs that they must carry. That's not the question. We're not standing here seeking 10 or 20 per cent. We're not seeking to take away that 23 per cent. In a normal world you would expect the NDP to say that we ought to, that there ought to be.

I just heard NDP speeches tonight about income equality. Income equality. What we have in this respect is growing inequality, Madam Chair. I accept that inequality is part of a function of a free economy, and some people with very high levels of education and skills are going to make significantly more income, and I would say: good for them. That's fair and just. We want those kinds of incentives. But in this crisis we simply cannot afford for that to continue at those levels of increases without the kind of spending discipline that has been proposed by the hon. Minister of Health. The Department of Health projects, based on these recent trends, that over the next three years there would be an additional increase of at least \$2 billion over three years in physician compensation while we are coping with the largest fiscal crisis since the province basically went broke in 1935.

You know, I was just talking to a friend the other day, Madam Chair, a public-sector worker. She told me that her husband works for a major energy company. I won't mention the particular company. She said that he's really grateful. I said: how's he doing? She said: well, he's really grateful to still have a job. She said: however, he's just gone through his third round of pay cuts in the last five years. The first one was I think she said 15 per cent, the second one was 10 per cent, the latest one has been 7 per cent. But you know what she said? She said: Colin still feels lucky that he has a job. Colin's experience is the experience of hundreds of thousands of Alberta families whose taxes pay for our public health care system, which in turn pays for physician compensation that has gone up by 23 per cent.

All of the personal abuse and invective to the point of death threats that have been directed at the Minister of Health, a son of a physician, for having the temerity to suggest that the physicians join the nurses and the teachers and the public-sector workers with no increases in gross compensation – the invective that he has faced for this is outrageous. It is odious, Madam Chair, to have had the harassment of members of his family, much of it egged on by the opposition, the vile language that has come from them.

2:40

I'm talking about, as the hon. the Minister of Health pointed out, a former NDP candidate, who referred to foreign-trained medical graduates who brought their skills and education to Canada to practise here – by the way, where would we be in this province and in this country without physicians trained abroad who joined us with their skills in this country? I can tell you that darn near every rural hospital in this province would be empty without those doctors who came here. What does the NDP refer to them as? Quotes, scabs. In their language, in their vocabulary that is about the lowest kind of epithet that you can throw at somebody, Madam Chair, and usually it is attached with all sorts of implications about threats, bullying, protests, pickets if you're a scab. If you're a scab you can be doxxed. That's what Unifor does. They take your picture, and they put it on the Internet, and they tell people where you live and say: go get 'em.

Mr. Nielsen: No, they don't.

Mr. Kenney: Oh, Unifor absolutely does. In fact, I'll be happy to table hard evidence of Unifor doxxing people. Just look at what they did to the Co-op workers in Regina. That's what they're implying that they support for our new Canadian physicians. Madam Chair, I quite frankly find that xenophobic. Xenophobia is fear of the other. That NDP former candidate is trying to stoke fear of the other, of newcomers, of immigrant doctors. Shame on them. They have yet to repudiate that.

By the way, the other day in question period the hon. the Leader of the Opposition said to me: "Why don't you just do what B.C. and Saskatchewan did? They sat down with the doctors and they got agreements. Why don't you just replicate what they've done?" I should have been faster on my feet and accepted the offer because you know what they did, Madam Chair, in B.C.? Average gross physician billings, according to CIHI: \$376,000 versus \$443,000 in Alberta, 18 per cent lower. That was taken by the physicians in British Columbia, who operate, generally, at a higher cost of living with higher personal marginal income tax rates, meaning their net net is substantially, substantially lower than even the difference in the gross billings would imply. In Saskatchewan – I just looked it up – 12 per cent lower gross billings than here in Alberta for physicians. The NDP says: why don't you take the same deal that they got in Saskatchewan and B.C.? Is that what the NDP is proposing, that we cut their compensation by 18 per cent or by 12 per cent? No, we're not going to do that.

Why does this party over there that supposedly represents the belief in income equality and equity – why would they slam zeros on the nurses, on the health care aides, on the orderlies, on the food service people in the hospitals but say plus 23 per cent for the doctors, who pay the lowest personal income taxes in Canada and enjoy a substantially lower cost of life than in other major provinces like Ontario and Quebec, according to the MacKinnon panel, based on StatsCan data?

Madam Chair, I cannot understand why the amendment brought forward by the hon. Minister of Health is even remotely contentious. When it comes to physicians, you have a cohort, a

group of people who are, in a way, a hybrid between being public-sector employees – they're not technically that. They do work de facto for Alberta Health Services, but they are de jure acting as contractors, typically as professional corporations.

Now, every vendor of the government of Alberta, when they bill the government, those billings are disclosable. In most cases, I believe, they are proactively reported, the payments to vendors. If there are some payments to vendors that are not disclosed because they're below a certain threshold, they can be obtained through freedom of information applications. Why should this not be the case more broadly, Madam Chair? That's why I support this motion.

The Chair: Any other members wishing to join debate? The hon. Member for Edmonton-Whitemud.

Ms Pancholi: Thank you, Madam Chair. It's a pleasure to rise in Committee of the Whole on Bill 30, Health Statutes Amendment Act, 2020, and speak to the amendment tabled by the government with respect to Bill 30. Now, there are a number of comments that I'd like to make with respect to the timing and the fact that we are considering this amendment, which is a significant change to existing legislation around disclosing, well, some financial information around billing and services provided by physicians in this province.

I'd like to begin by commenting, in the first place, that I listened to the hon. Premier's comments with respect to this amendment, and what seemed to be glaringly missing from his account of what's taken place with respect to the government's approach to physician compensation thus far is the fact that, well, physicians actually agreed to a compensation cut. In fact, they've tabled proposals where they accepted that there would be some kind of compensation change. They put forward that offer, again in good faith, to this government, but of course it's become very clear, not just to physicians but also to Albertans, that this is a government that's not operating in good faith.

I think it's very unfortunate that we would be having this conversation about the need to actually address physician compensation when the Alberta Medical Association has put forward a position that accepts that and would consider that, but that doesn't seem to factor into this government's approach. What they seem to be dead set on doing is actually operating in bad faith by tearing up a contract unilaterally, by actually passing legislation that permitted them to tear up that agreement with doctors in record time, limiting debate, without consultation, without discussion, and then doing said act and tearing up that agreement unilaterally with doctors and failing to go back to the table.

When the hon. Member for Calgary-Buffalo spoke about the previous government's, the NDP government's, approach: yeah, negotiation was the key, because it was a negotiation. It was a sit-down, and you actually speak in good faith with the other party. It was my understanding – I was not part of government at that time – that those were difficult discussions and difficult negotiations. I'm sure both parties were not happy with the outcome, and in the legal world that's how you actually know you have a fair negotiation, when nobody is completely happy. That was the discussion that took place, because it was in good faith.

Unfortunately, what we've seen from this government is a determination to act in bad faith, and not only to act in bad faith but, yes, Madam Chair, to actually attack. How do we know that? Well, the Premier acted so shocked to hear that we would use the term "attack," but that's actually what Albertans are seeing. We had a Minister of Health who was standing in the driveway of a physician yelling at him in front of his family. We have incidents, as noted,

of the minister calling up doctors on their personal phone numbers to berate them about things. Those are on the record.

Actually, all of that – well, actually, not all of that. Some of that happened before the pandemic, but some of that happened during the pandemic. Again, we look at physician compensation and those issues. They're very real issues. But we also have to look at and understand what's happened during the pandemic. I feel like a broken record because I keep talking about it, but it is the fact that keeps really surprising me about this government, that they have not changed course. They have not at all reflected what Albertans have, which is sincere gratitude and appreciation for front-line health care workers.

Now, we're at the point, Madam Chair, where every time a minister or a government member or the Premier himself stands up to say, "We're so thankful for our front-line health care workers," nobody believes them, because this is how they've continued to approach discussions and negotiations. That is precisely my concern with the amendment here before us today, because this is not about transparency.

We just listened to the Premier spout a significant number of facts, he claims, about spending and all of that and the percentage that we spend of our budget on health care. He already has the information he needs to say: we need to roll back our spending, we need to control our spending with respect to health care costs. He already has that. How does the public disclosure of the information that's contained in this amendment actually further that, especially because, Madam Chair, the amendment that's put forward today is not intended to actually provide clear transparency?

If it was, it would address the very live issue which is the continuing concern around sunshine lists or disclosure of physician compensation or pay for services they bill for, that there is a significant difference between what physicians take home as their salary, as their compensation, and what they bill for the services they provide. They get the funding from the government for that because that funding that they get, as we all know in this room – and the minister even acknowledged it himself – goes towards more than just paying that doctor's take-home pay. It pays for a lot more than that. It pays for the rental of their clinic. It pays for their staff. It pays for office supplies. It pays for all of those things.

So there is a distinct difference between saying, "What do physicians bill?" and "What do they bring back in terms of their billings?" versus what they take home as compensation. If this was truly an effort to be transparent about how much physicians take home as pay, to talk about that compensation, then that would be reflected in this amendment. But it's not, and that's deliberate. I have to say that I feel like that's deliberate because it's shown that this government is not acting in good faith. That is the concern that Albertans have.

2:50

Albertans are not opposed – and neither is the Official Opposition – to greater transparency and accountability for public dollars. What we're concerned about is the ruse that is being perpetrated by this amendment that it's going to somehow provide greater transparency, because it's not. It does not actually shed light on what's most important, to actually have an honest conversation about what we spend in this province on physician pay and on compensation. It is designed to shame Alberta doctors. That is the intent behind this. The government is hoping that Albertans might not know the difference between what a physician takes home as pay and what they receive as billings for the services provided. Again, Madam Chair, if that was not the intent, the government, at 12:30 on a late Monday night, could have certainly provided an

amendment that was much clearer with respect to what they're truly trying to get after.

This is not about transparency, and frankly Albertans at this point have a lot of difficulty believing that anything motivated by this government is transparent, because, of course, as the government is well aware, they've been voted the most secretive government in Canada. Not surprising, because when it comes to transparency, they want that when it's about shaming Alberta doctors, who have been our front-line health care workers, carrying us through the pandemic, but when it comes to their war room, which just seems to do angry tweets and inaccurate tweets and tweets about the fact that – I don't know – they support climate change denial to promote our reputation on the global investment scene as being responsible energy providers yet say, "Let's promote climate change," they won't provide any transparency around that. So it certainly does not feel like what is happening under this amendment is actually motivated by transparency.

Therefore, I would like to propose a subamendment to this amendment, and I will provide copies of it right now to be circulated, and I will read it into the record once you have a copy, Madam Chair.

The Chair: Hon. members, this will be known as amendment SA1. Hon. member, please proceed.

Ms Pancholi: Thank you, Madam Chair. Subamendment SA1 reads that I move that amendment A1 to Bill 30, Health Statutes Amendment Act, 2020, be amended in part A in clause (b) by adding "and the Health Information Act" immediately after "Alberta Bill of Rights" in the proposed section 20.4(1).

Madam Chair, the purpose of this amendment is to reflect what I believe and what we believe is an overbroad application of the amendment that's been put forward by the government. Again, this amendment by the government was just introduced a couple of hours ago, so we have tried to reflect our concerns with what we could tell from a quick reading of the amendment, but there are concerns with the broad nature of the ability to collect and disclose information under this amendment.

Now, again, I've stated my concern that this is capturing far broader information than is apparently the intent of the Minister of Health. It actually is intended to allow for the disclosure of amounts payable by the minister in respect of the cost of health services provided to residents, again not distinguishing between the costs of physicians running their clinics and what they take home as take-home pay.

But it also allows – and I'm currently looking at the amendment proposed by the government – in section 20.3(2) for the Lieutenant Governor in Council to require

health entities to disclose to the Minister . . . the information, documents and records . . . required by the regulations with respect to any funding received, payments made or benefits provided by that health entity in respect of publicly funded health services and in respect of practitioners.

Therefore, Madam Chair, it is incredibly broad. It's not just looking at dollars. It does allow for regulations to be made that ask for any information, documents, and records that relate to the delivery of health services by practitioners to be disclosed. Specifically, of course, the amendment does allow for the disclosure of personal information of, well, specifically practitioners, basically doctors and physicians. We believe that it may be quite broad. In fact, it certainly is. Certainly, we know that there is often a significant amount of other information that is contained in records that could possibly be disclosed under a regulation made pursuant to this amendment. For example, we

know that billing information, simply the dollars, could be intertwined with other records, and the way it's drafted right now in this amendment, it's quite broad.

[Mrs. Allard in the chair]

While it does say that no personal information of patients shall be disclosed, it certainly does not prevent any disclosure of potential health information. Certainly, we know that doctors' records, given how broadly this is worded under the amendment, could contain a lot of health information as well as personal information, and it could get quite intertwined. We want to be very clear, Madam Chair, that the provisions of this amendment do not allow for the disclosure of information contrary to the Health Information Act. We want to make sure that for health information, whether it's necessarily a patient's information or how the information is intertwined, it is very clear, absolutely clear, that there's no intent under this amendment proposed by the government that health information, covered and protected, will be disclosed contrary to the Health Information Act. That's really the intent of this subamendment, to make sure that not only does the Alberta Bill of Rights trump this disclosure provision but also the Health Information Act.

Again, this is trying to provide some assurances to Albertans, who might not have a lot of trust and faith right now in this government. We know that the Health minister has used personal information of doctors to call them up and yell at them. We know that when doctors from a particular health clinic, the Garneau pediatric clinic, spoke up in the media about their concerns about some of the billing changes that were being made by the government, within hours we had members of the Minister of Health's staff tweeting out information about the billing practices of this clinic because they dared speak up and challenge and question the impact of the Minister of Health's changes on their very medically fragile patients, who are children. We know that this minister, this minister's office, this government really have no shame when it comes to using information very loosely.

Right now I think Albertans need a modicum of assurance that this government is not going to violate the Health Information Act. This should be straightforward. In fact, I'm going to assume, to some extent, that this was a drafting error by the government by not including the Health Information Act in section 20.4(1) and that they meant to ensure that those provisions still prevail over the disclosure of any information under this amendment. It really should be a straightforward, I hope, friendly subamendment to this government to provide that assurance to Albertans that they are not looking to violate the Health Information Act and, frankly, something that I think Albertans need from this government right now.

More than ever, Madam Chair, I also want to highlight that not only is it a shame that this government continues to attack front-line health care workers during a pandemic, but it also serves as a giant distraction. I believe that this entire battle that we're seeing, with the minister threatening and now following through on trying to publicly shame Alberta doctors and not, most importantly not, bargaining in good faith and going back to arbitration, going back to negotiation to actually resolve and get a resolution that will keep doctors in Alberta, is one of the fallouts that is the most disheartening for Albertans. Not only are they attacking doctors during the pandemic, but their actions are actually driving doctors out of this province at a time when we need to be doing everything we can to ensure that doctors stay here.

Of course, we already know about – we've talked about it, and my colleague the Member for Edmonton-City Centre has stood up

multiple times and talked about it – the various rural communities that are being most affected, that are losing their family doctors and shutting down clinics. Those areas are being hit hard, again during a pandemic. I have to highlight, Madam Chair, as well that we are certainly nowhere near being through this pandemic. We see the numbers going up regularly. We know the chief medical officer of health either just today or the day before – I've lost track of my days a little bit here – stood up and said: we have not flattened the curve; the curve is actually increasing right now. So the need for those doctors and those front-line health care workers is not going away. It's actually increasing.

3:00

Nobody is concerned, Madam Chair, or takes issue with the idea of trying to find better accountability and transparency for public dollars. But we do have issue when that fight is driving out – and the tactics that this government is using to shame doctors and are driving them away at a time when we need them most. There is a method and there is a process by which those issues can be resolved in good faith, and that's negotiation and arbitration. That is the way to address these issues. There's no doubt that there could be ways that we could find efficiencies. We also know that doctors have said that they're willing to take a pay cut, but they have to be at the table. They have to sit down.

If the government was truly honest about finding a way to resolve this issue and to drive down costs, then they should be sitting down in good faith with doctors and doing that now. Rather, we've seen them dragging it out now. We're looking at seven months – I think it was October or November when they tore up the deal with the doctors – going on for months now that they've been dragging out this battle. Not only is it not serving Albertans well, not only is it not serving our doctors well, but it's also not serving the government well. I mentioned it before, and I'll mention it again. This government is the only provincial government in this country whose popularity did not go up during the pandemic, and the number one reason for that is that this is also the only provincial government in this country that decided to go to war on its doctors during a pandemic.

Certainly, the government might want to take a pause. I can tell you, Madam Chair, that just last week – and I need to be tabling in the Legislature, although we may have limited opportunities to do so going forward, an e-mail that I got from a constituent which led to a phone call with this constituent, who told me: I voted UCP in the last election. He said: I did, and I will not do it again because of the way they're treating our doctors. He said: I cannot understand a government going to war with its doctors during a pandemic. He said: I can assure you I will not be voting UCP again. I'm not in a riding where I take my vote or my win for granted. I know that I have to earn every vote. I actually want to thank the government for helping me earn that vote. He assured me that he would be voting for me the next time around, so thank you to the government for that.

But they should be taking that seriously. They should be taking that seriously across the province. They should be listening to Albertans who are saying: right now we don't want these distractions; we don't want distractions of referendums on equalization or ranting and raving by the government members and the Minister of Health and the Premier about some angry tweets by somebody who they're now saying is affiliated with the NDP. Pay attention to what's going on right now with respect to the way you're treating Albertans, because they're paying attention.

That's what the government should be focused on right now. They should be focused on listening to Albertans rather than playing the games that they're playing right now. Right now,

Madam Chair, this amendment that they've brought forward is a game because it's not focused on real transparency. It's not about giving real data. They had the opportunity to do that. I can only imagine the minister has had this amendment before him for some time. He's been threatening it for weeks, so certainly they've been working on it. Certainly, there was an opportunity, when drafting this amendment, to address what is an intricate challenge: how do you properly disclose physicians' compensations and services? By distinguishing between their overhead costs and what they actually take home.

He could have had the opportunity to do that. He chose not to. He chose to table an amendment that is particularly, specifically vague, which will allow for the misinformation that this government is continuing to spread. They're doing it on purpose because they're not interested in doing it in good faith. They're not interested in doing it in the efforts of transparency. They're playing a game, and they're playing a game with doctors and with Albertans at a time when we need this government to be focused on our health and recovery from the pandemic, not treating the health and safety regulations as 750,000 students and their teachers are about to go back to school and referring to it as tidying up.

They've been so dismissive. That's the problem, Madam Chair. They're focused on these kinds of games rather than focusing on what Albertans care about most right now. They want to make sure their kids are going back to school safely, and this government has been completely dismissive of that, but in the meantime they have plenty of time to play the games that they're playing.

Madam Chair, I hope that the government will consider this subamendment to make sure that they're providing some assurances that the Health Information Act will still remain primary, that we are not looking to violate that.

The Acting Chair: Hon. members, I see the hon. Minister of Health has risen to join debate.

Mr. Shandro: Well, thank you, Madam Chair. Well, speaking of playing games, look, I suppose at this point – you know, it's been a year since the election. At this point the desperation of the NDP manifests in such a bizarre and strange way that all that can be said for however long the hon. member is speaking in the Chamber is that it's just a rambling mash of slander and false narratives, which is really quite embarrassing.

Look, just a few things to correct the record. As the hon. member knows, there was no agreement that was torn up. There was a termination clause that was negotiated with the AMA that the AMA agreed to that we executed. The physicians and the AMA never sat down us with us and offered a pay cut, and the hon. member knows that. Every proposal, if you can call it, generously, a proposal – and it really wasn't. It was a PowerPoint presentation. Any time that we were proposed anything by the AMA, Madam Chair, it was going to result in significant, massive cost overruns, cost overruns that would have had to come somewhere else in the system. As the hon. Premier pointed out, for four years under the NDP they had the pay grid for our nurses at zeros for their time in government, yet physician compensation increased by 23 per cent under the NDP.

If we continue on the same path as the NDP did for their four years, \$2 billion more to physicians when they're already the most generously paid in the country, Madam Chair? Would that mean less money for AHS? We only give them \$12 billion. We give AHS a \$12 billion grant, so the amount of money that we give the 10,800 physicians is almost half of what we give as a grant to all of AHS. They have 110,000 employees; 91 per cent of them are unionized. The unionized folks get \$7 billion. As a whole, I think it's \$8.4

billion for all of the labour that is paid by AHS. We pay our physicians, 10,800 of them right now, \$5.4 billion, and we're proposing to keep that at \$5.4 billion for the next few years.

Now, we were also alleged to have not sat down with the doctors, which is also not true. We started after the MacKinnon panel filed their report in August. We gave notice to the physicians that we wanted to start negotiations with them. They asked for a couple of months, and we agreed. We started sitting down with the AMA in November, Madam Chair. We started meeting with them in November, and it went until January 31. We did not get a counterproposal from the AMA. We provided them with the homework we had done and the new framework that we suggested. That didn't include – the same way that the previous Redford government had delegated the authority of the Minister of Health to a physician compensation committee, essentially giving a veto to the AMA from ever being able to find any savings in physician compensation. We knew that a new framework was required, and we did continue with a new framework.

After then negotiations weren't successful. Mediation wasn't either. In fact, in mediation we didn't get a single proposal from the AMA. Although, after February 20, when we announced the new physician framework, we made it very well known publicly that any time the AMA wanted to be able to table with us a credible proposal in the alternative to our framework that we announced on February 20, it's up to them. Happy to sit down with them. Our door is open. Any time they want to provide us with an alternative, I've instructed the ministry to review it. Now, they haven't, but they still had asked to meet with us in March and again in June. We did sit down with them and listen to them and receive their PowerPoint presentations again. No counterproposal with details, but we continued to meet with them, we continued to sit down with them, and we continued to hear from them and get their PowerPoint presentations.

Now, to the subamendment that's been tabled in the Chamber and speaking to that, I thought it was a little strange that most of what the hon. member had to say was not about her subamendment but really just repeating a lot of false narrative and slander, Madam Chair.

3:10

Like, I think the hon. members are focused on my amendment, government amendment A1. In 20.3(1)(b) there is a definition of personal information. It means "personal information as defined in the Freedom of Information and Protection of Privacy Act." For some reason it seems that the hon. members have become focused on convincing themselves that this is going to result in personal information of a patient being disclosed in some way through what's being proposed in these amendments, which is not true at all. All you have to do is go to subsection (2), Madam Chair. If you go to subsection (2), the whole point of these amendments is for the Lieutenant Governor in Council, by regulation, to require health entities to disclose the payments that a physician is receiving, and that might include the practitioners' personal information. It's not talking about the patients' personal information.

With the understanding that I think the hon. members opposite are misunderstanding and need to take time to read the amendment, to understand it better, that they have misunderstood this, that there is no reason for a reference to the Health Information Act after the Alberta Bill of Rights in section 20.4, I would submit, Madam Chair, that the subamendment be voted down.

Thank you.

The Acting Chair: Thank you, hon. member.

Are there any other hon. members wishing to speak? Oh, I see the hon. Member for Edmonton-South has risen.

Mr. Dang: Thank you, Madam Chair. It's my pleasure to rise tonight and speak to subamendment A1-SA1, introduced by my hon. colleague from Edmonton-Whitemud. I want to start by perhaps going back over some of what's been brought up tonight. I think it's very interesting that we're here at 3 o'clock this morning. This amendment was introduced, the original amendment, at about 1 o'clock this morning, and indeed the Member for Red Deer-South even rose in this place and said that he thinks that nobody is watching. He thinks that nobody is watching at this time of night, and nobody even at home would be watching, and nobody other than the people in this place and perhaps our staff would be watching. That's basically the gist of what he was saying.

The question I have is: if, as the Premier said, this is so important and this is something that the Premier can't believe hasn't been done before, can't believe hasn't come forward way earlier, years earlier, then why now is the Minister of Health introducing this amendment at 1 o'clock at night, in the middle of the darkness, when the UCP members themselves admit that Albertans may not be watching? Madam Chair, I submit to you that it seems very clear that this government has a history and record of trying to ram through legislation and hide it in the cover of darkness in the middle of the night. That's very clearly what this government is trying to do. It's a history of this government abusing their authority. It's a history of this government not having clear boundaries on when and where they're supposed to use information, on when and where they're supposed to do debate, and on how democracy works in this place.

Madam Chair, it's really interesting. We saw the Minister of Health rise and speak about narratives and speak about issues and different uses of information and how we had a misunderstanding of the act, but I submit that perhaps the minister needs to look at his own house before he points across. It's very concerning that the Minister of Health rose in this place and tried to speak authoritatively on the use of personal information, whether that's patient information or practitioner information, because the Minister of Health actually had his office pull the personal information of a practitioner in this province and berate him over the phone. The Minister of Health also personally went to a practitioner, a doctor, a physician's home, and berated him in front of his children and wife.

That is what we are talking about when this minister rises in this place and says that he can speak authoritatively on the use of personal information. That's the man we are talking about. That's the information we're talking about.

Mr. Jason Nixon: Point of order.

The Acting Chair: A point of order has been called. I recognize the hon. Government House Leader.

Point of Order Relevance

Mr. Jason Nixon: Thank you, Madam Chair. I hesitate to interrupt, but I do rise on relevance under 23(b). We are on a subamendment moved by that hon. member's colleague. It sounds to me as if he's attempting to debate, at the very least, the main bill. I'd be curious to hear his comments on the subamendment moved by his party. Maybe he's not aware. Maybe he didn't catch on that we're on a subamendment, and he's in a different stage of the bill. But we should probably stick to the work that's before the House at the moment.

Member Irwin: With respect, Madam Chair, this is not a point of order. The Member for Edmonton-South is clearly speaking about

the background when it comes to physician compensation, and I trust that he will get to the subamendment shortly.

The Acting Chair: While at this time I do not find this to be a point of order, I would like to take this opportunity to caution all members of this Assembly to please stay on the question at hand, and that is subamendment SA1.

Back to the hon. Member for Edmonton-South.

Debate Continued

Mr. Dang: Thank you, Madam Chair. Subamendment SA1, as we all know, refers to the Health Information Act being appended after the Alberta Bill of Rights. I believe that when we speak about things like the use of personal health information and the use of patient health information as well as practitioner health information, it is important that we understand the context and we understand who we are speaking about when orders in council may be made and submitted in terms of information being used.

Of course, we know that in the actual amendment that is being amended by the subamendment, Madam Chair – under 20.3(6) the minister may actually use the information that is extracted “for purposes other than disclosure to the public under subsection (4).” When we look at the information that’s being revealed, when we look at the actual information that’s being taken, when we look at the actual uses that the minister is going to be able to have, it becomes very clear that it is required to include additional provisions, such as the Health Information Act, in the subamendment. It becomes very clear that it’s required that we actually understand the context of who is going to have access to the information, what types of abuses of power and abuses of trust have been done with that information in the past, and how we should be protecting that information as we move forward.

This subamendment does speak to that. I mean, this subamendment, clearly, tries to increase the clarity for the minister. It tries to increase the clarity for the minister that he would not be able to use this information for purposes he has already done, such as berating a doctor at his home, such as berating a doctor over the phone, such as actually, Madam Chair, having the minister’s office pull clinic records to attack and discredit a physician on social media. I think all of these attacks on physicians are embarrassing, at the very least, and shameful.

Madam Chair, it’s pretty clear that we need to have clear parameters. It’s pretty clear that we need to have succinct parameters such as adding “and the Health Information Act” immediately after the words “Alberta Bill of Rights” in the proposed section. I mean, I think it’s pretty obvious that when this amendment was brought in, it doesn’t have the protections in place that are required. It doesn’t have the protections in place to protect Albertans from this Health minister.

Physicians don’t trust this Health minister, Madam Chair. Albertans don’t trust this Health minister. If health care workers don’t trust this Health minister, then this House should not trust this Health minister, and indeed because of that, we must bring in as many clear and concise protections as we can against the abuse of power by this Health minister.

It’s very clear that this Health minister does not understand the boundaries between what is acceptable use of his office and what is not, what is a reasonable use of his office in terms of the use of practitioner information and personal health records and what is not. It’s very clear that we need to provide direct instruction to the minister through legislation, through this subamendment, that he is not to use this information for other purposes, that he is not to use this information for anything other than for purposes of disclosure.

I mean, Madam Chair, it’s very clear that this minister has an attack on doctors, is facing a war on doctors. Indeed, the Alberta Medical Association is currently voting on a vote of nonconfidence against this minister. It is abundantly clear that nobody trusts this minister, and it is exceptionally unclear to me why any member of this Assembly would trust this minister.

What this Health minister has done, Madam Chair, is that he has breached time and time again the trust of Albertans. The trust of Albertans. It’s very clear that when this continues to happen – and it continues to go unchecked by this Premier, and it continues to go unchecked by this government caucus, and it continues to go unchecked by the minister’s office – indeed we must then instead use this subamendment, use legislation, and actually direct the minister. We must actually tell the minister what he can and cannot do with this information. We must tell the minister clearly in this place tonight right now that it is unacceptable to go on and continue in this manner. It’s clear that this government has no shame and is willing to violate the rights of patients and violate the rights of practitioners.

[Mrs. Pitt in the chair]

Indeed, unless we introduce this amendment, unless we accept this amendment and explicitly protect the information used under the Health Information Act, then we will have difficulty understanding what this minister may do, Madam Chair. This minister has broad-reaching powers with this amendment he’s brought in, broad-reaching powers that he’s brought in in the middle of the night, under cover of darkness, because he doesn’t want Albertans to see what he’s doing. He doesn’t want Albertans to actually understand and have the opportunity to critique what he’s doing.

3:20

Indeed, that is why Her Majesty’s Loyal Opposition is here at approximately 3:20 at night. We’re here to make sure that this minister is going to be held to account, that this government is going to be held to account, and that all relevant acts and legislation that this minister has to abide by to maintain the trust of Albertans, maintain the trust of physicians, maintain the trust of health care workers and this House should be added to this bill.

Madam Chair, to be very clear, I think that this amendment is a bad amendment. I think that this amendment is a continuing effort by this government to smear Alberta’s doctors during the middle of a global pandemic. It’s a continuing effort to discredit physicians in the middle of the night, and it’s pretty clear that we need to bring in additional direction for this minister. We need to bring in additional parameters for this minister because it’s pretty clear that this minister has nobody on his front bench or in the Premier’s office or in his own caucus that is willing to actually tell him that it is not acceptable to berate physicians, that it’s not acceptable to pull physician records, that it’s not acceptable to try to discredit physicians personally on Twitter through pulling their clinic records.

None of those things are acceptable. None of those things are reasonable. None of those things are what you expect in a western liberal democracy, Madam Chair. But, indeed, it appears that we have to introduce this subamendment. We have to make that explicitly clear in legislation. We have to say that the information protected under the Health Information Act should also be included in this bill because this minister simply does not do things in good faith. This minister simply uses underhanded tactics and shows up on driveways to yell at physicians in front of their kids. And none of this is in the UCP platform. None of this is something that the UCP campaigned on. None of this is something that the minister

took to the doors. Perhaps he took it to the doors of the doctor he was berating, but certainly he did not take it to the doors of general voters.

Indeed, we need to direct this government, we need to hold this government to account, and we need to let them know that it is not okay to move on in this manner, that it is not okay to act outside the scope of the Health Information Act, that it is not okay to act outside of the direction of this Assembly, and that it is not okay in a western liberal democracy to act in this manner. It's pretty clear that we need to have this in black and white. It's pretty clear that the minister himself, when he spoke to this subamendment, Madam Chair, and he said that it was unnecessary, was not speaking authoritatively, was not speaking with the trust of physicians, was not speaking with the trust of Albertans, was not speaking with the trust of health care workers.

It's pretty clear, Madam Chair, that we see that this is an essential piece of information to give to the minister, because if the minister himself cannot understand with the statements he has made, cannot understand what is wrong with calling a physician on his personal cellphone, cannot understand what is wrong with berating a doctor in front of his home, cannot understand what is wrong with pulling physician information and practitioner information and billing data from a practice that may have personally identifiable information and how that may violate the Health Information Act that's introduced in the subamendment, if the Minister of Health cannot understand any of these issues, then it becomes abundantly clear that we do need to indeed come into this place and direct the Minister of Health that that is not acceptable.

We need to direct the Minister of Health that what he has done – indeed, he should probably be resigning, but given that this Premier is going to stand by these outrageous actions and these disgraceful actions, instead we will try to make this bad bill better. Instead, we will introduce an amendment that will actually protect Albertans' information, will actually protect Albertans' personal health information, will actually protect practitioner information, and will actually ensure that we will not have this blatant abuse of power brought in by the minister, Madam Chair.

I think it's pretty clear that, again, the truth is leaking from this government, Madam Chair. This amendment was originally introduced around 1 o'clock tonight or just before, and indeed around that time the Member for Red Deer-South said in this place that he thinks that nobody is watching. That speaks to why the government introduced this in the dead of night, without Albertans watching, while trying to hide this information from Albertans. [interjections]

The Chair: Order.

Mr. Dang: It's pretty obvious that this public shaming of doctors is only an attempt to create more chaos in the Alberta health care system. It's not to improve patient care. Instead, it's actually to try and slander doctors in the middle of the night without giving the opportunity to critique it, without having the opportunity for a thorough discussion.

Indeed, it's pretty clear that we need to have these provisions in place to protect physicians and protect patients and protect Albertans from this government's blatant abuse of power, from this government's attack on physicians, from this government's attack on our public health care system, from this government's ongoing drive to Americanize our health care system, Madam Chair. We know that they have brought in so many other provisions in this bill that Americanize our health care, that this slander against physicians and this smear against physicians that's brought in in the middle of the night is simply an attempt to try and give themselves

more broad-reaching powers. It is simply an attempt to bring themselves more powers that can be misused.

And this minister has misused in the past, even when he didn't have the authority, Madam Chair, so it's pretty clear that we need to put in these very clear parameters. We need to tell this minister what is and is not okay. We need to tell this entire government what is and is not okay because apparently not a single member of this government bench is willing to stand up to the Health minister, is willing to stand up and actually say: "Hey. Perhaps we need to not pull personal information of physicians. Perhaps we need to not pull the information of doctors and berate them in front of their homes. Perhaps we need to not use practitioner information to berate them and slander them and discredit them on social media."

With all of that context, I think it's pretty clear that we need to include aspects such as the Health Information Act into this amendment specifically. I don't think it makes this amendment good. I think it makes a bad amendment slightly less bad, Madam Chair, and that's okay. We will not have every opportunity to fix every single piece of terrible legislation this government brings in, but indeed we will have the opportunity to make their bad legislation not as bad. We will have the opportunity to try and protect Albertans incrementally, and sometimes we have to take baby steps when trying to protect Albertans because this government is so intent on attacking our public services, on attacking our health care workers during a pandemic, on berating our health care workers during a pandemic, and on abusing this power during a health care pandemic. It's pretty clear that this government is not doing things in good faith and is using these underhanded tactics.

As we move forward with this subamendment, as we move forward with this amendment and with the bill in general, I think it's certainly important that we set out clear guidelines in all parts of the legislation, including in this amendment, that show this minister and show this government where they should and should not misuse information. Well, they shouldn't misuse information at all but where they should and should not pull information and use information incorrectly.

We know that in the original amendment A1 there are provisions that allow the Minister of Health to use practitioner information and personal health information for disclosure for purposes other than disclosure. The Minister of Health has actually given the opportunity to pull practitioner information that may include personally identifiable health information, Madam Chair, and then use it for other purposes. What are those other purposes? We don't know. It's not defined in the legislation. It's not defined in the amendment, but indeed we would be able to add an amendment, a subamendment in this case, that would actually restrict that use, that would actually restrict it and say that we can't violate the Health Information Act, that we can't go in and actually use Albertans' information without certain protections that are provided by the Health Information Act such as consent in some cases and otherwise.

I think it's very important. I think it's very important because we have this history of the Health minister not being careful with the information he's entrusted with, not being reasonable with the information he's entrusted with. I think it's very important that when we have an amendment that is this broad reaching, when we have an amendment that is this wide in scope and is able to touch so many pieces of information and is able to have such a deep impact on our practitioners and on physicians, we do actually need to stop and consider what privacy protections are in place, what safeguards are in place to protect Albertans from the minister, because, Madam Chair, it is very clear to Albertans, it is very clear to health care workers, and it is very clear to physicians that nobody,

not a single person, trusts this minister. Nobody trusts this minister, and Albertans are begging this government to just stand up to this minister and tell him that what he's doing is not okay, tell him that his attacks on health care are not okay, tell him that his Americanization of health care is not okay, Madam Chair. But instead, what we're going to do is we're going to be introducing some amendments like this, that have provisions such as the Health Information Act in place, to ensure that we protect Albertans from this minister, that we protect Albertans from the abuse of power this minister is perpetrating, that we protect Albertans from the attacks this minister is bringing against physicians and health care workers and the public service, that we protect Albertans from this minister's breach of health files.

3:30

Really, Madam Chair, it's shameful that they would bring this in at about 1 o'clock at night, and now here we are at 3:30 at night still debating the amendment here because this government is trying to essentially ram this through under the cover of darkness. Instead of letting them ram it through under the cover of darkness, we're going to be making reasonable suggestions like this. We're going to be introducing provisions that protect Albertans' information, that protect Albertans from these blatant attacks, that protect Albertans, in the Member for Red Deer-South's words, when nobody is watching. Indeed, we are trying to protect Albertans, even when and if nobody is watching.

I can assure you, Madam Chair, that people are watching. I've been receiving a lot of tweets and direct messages as well around physicians and the general public, who are asking us to stand up against this government and stand up against this government's attacks on public health care and the Americanization of our health care. Indeed, they're concerned about the misuse of practitioner and personal information as well that is included in this amendment. Certainly, we need to make sure that we have all the safeguards in place because Albertans do not trust this government. Albertans specifically do not trust this Health minister. Indeed, physicians are voting on a vote of nonconfidence about this Health minister.

So when we have a Health minister who berates doctors in front of their own homes, in front of their families, when we have a Health minister who berates doctors on their phones through improperly acquired personal information through the Health minister's office, when we have a Health minister whose office pulls billing information from medical records to discredit physicians on social media, it becomes abundantly clear, Madam Chair, that this minister cannot be trusted with information, cannot be trusted with Albertans' information, and this government cannot be trusted with the personal information of Albertans. We need to have these explicit safeguards. We need to have these explicit protections. We need to have provisions in place that prevent this government from going out and doing this blatant abuse, from going out and attacking our public workers.

The Chair: Are there any other members wishing to join debate on amendment SA1? The hon. Member for Edmonton-Decore.

Mr. Nielsen: Thank you, Madam Chair. I appreciate the opportunity at the fantastic time of 3:30 in the morning here to speak to the subamendment SA1, which, of course, is tied to the amendment A1, which is proposing to amend Bill 30, basically with some new information.

Now, we've certainly heard some of my colleagues express some concerns. I too have concerns generally with amendment A1 – I have many, actually – and SA1 will allow us to address one of those concerns.

I guess the first thing I have to mention, Madam Chair, is, you know, in the past – and I keep having to bring this up; I don't know why I have to continue, but I do – we've heard members from the government bench, members in the government caucus who, in the 29th Legislature, constantly referred to giving ministers more power, that it was a bad thing. That should never happen, that should not be the case, and Albertans should be able to see what's going on: I heard this over and over, yet here we are talking about, specifically around 20.4(1), allowing the minister some more abilities, shall we say. So I can't help but ask: was it actually the case back then that they believed that that was the case, that a minister shouldn't be getting all these extra abilities and ways to exercise authority, and now has that changed?

You know, it confuses me because I'm constantly seeing this pattern of saying one thing, then saying something else, doing one thing, doing something else. It conflicts. It just simply conflicts. It's no surprise, then, when Albertans reach out to me and say: what is the government doing? I have to tell them. I say: I guess it depends on the day. I don't know if it depends on what side of the bed they got out of that day or which door of the building they walked in that day as to what dictates what type of language they are going to promote, what type of language they are not going to promote. Then possibly by the time the afternoon rolls around that day, they may have flip-flopped again.

One of the other things that I always used to hear back in the 29th Legislature, Madam Chair, was around unintended consequences. I heard that one a lot, constantly talking about the previous government bringing in legislation, that they can't see the unintended consequences, and we would never listen to the Official Opposition. So here we are, trying to point out, with a very simple subamendment, that there may potentially be some unintended consequences that the government hasn't seen. By adding the Health Information Act, we would be able to cover those unintended consequences.

At the end of the day, you know, not only do I live with somebody who is, shall we say, very concerned when it comes to personal information, but I know people that talk about that type of thing on a regular basis. I think that by introducing this subamendment to A1, we will be able to put those concerns that not only those individuals have but, I'm sure, for the ones that we've clearly seen are keeping an eye on this this evening, around their concerns as to what's being proposed.

You know, it's interesting. This whole amendment of A1, which is tied to the subamendment, was originally introduced because the Health minister more or less said: we want to get the conversation started around disclosure of doctor compensation. I have to ask why the government decided that the best time to start that conversation was at 1 this morning. Perhaps they should have started that conversation a little bit earlier, say, during the negotiations.

You know, it's funny. I heard the Health minister talk about the steps that happened during the negotiation process. Thinking back, I've had the opportunity to participate in several negotiation periods. I've been able to observe them and, of course, even watched some from afar. When I look at the timeline and that, roughly, negotiations, real negotiations, were taking place over a period of three or four months, maybe, I mean, really? At that point we decided, "Let's exercise that clause to cancel the contract"? Madam Chair, I have been involved in negotiations where we were negotiating after two years to try and get a fair deal for both sides, and we threw up our hands after three or four months? I mean, really? That's all the government had in itself, three or four months?

I believe that amendment A1 presents a problem not only for practitioners but I think, potentially, for their patients as well. I think that if we adopt the subamendment SA1 to this, this will give

us an ability to start the conversation at least here, with ourselves. I'm worried that significant damage has already been done that will impede that conversation with doctors.

3:40

I mean, my gosh, as my colleague from Edmonton-South talked about earlier around having a vote of nonconfidence, Madam Chair – I've certainly had, again as I mentioned, the opportunity to participate in many contract negotiations. Sometimes they've gone well, and sometimes they've gone not so well. To see something like that – I mean, that is certainly tipping on the side of really not going so well, but here's our opportunity now. I guess we could extend a bit of an olive branch to our physicians around this. I think it will waylay some of the fears that we're already starting to get just through social media around what people are concerned with when it comes to personal information because, you know, we have seen a lot of instances where personal information has gone awry.

You know, I've always tried to be fair with people, Madam Chair, and certainly sometimes somebody might make a decision that's not necessarily the best. I think we've unfortunately seen several decisions now by the Health minister with regard to this subject, and it causes me pause. If I'm to be able to get over this, I think, by adopting the subamendment SA1, this will give me the opportunity to be able to, I guess, reconcile that personal information is a little bit more secured, and we won't see some misuse with this. I've always said that when it comes to language, it's not necessarily about the people in this room right now. We know what's going on. We know what the intention is, what it's supposed to be covering. I'm always thinking about when we're not all here, when it's up to somebody else to try to interpret what has been placed in this legislation.

By introducing the subamendment, adding the Health Information Act in there, this gives us the clarity later on down the road when somebody is trying to interpret that, that not only do they have to look at the Alberta Bill of Rights, but they also have to look at the Health Information Act. You know, if I were to just leave this as is, I would read this as all I have to do is check the Bill of Rights; that's all I have to do. There is no other requirement to check anything else, which means: what else could I be missing? Well, what's that famous saying? I don't know what I don't know.

This way, by introducing the Health Information Act through the subamendment, we make sure that the people that come after are checking both of these things and are complying with the legislation. That way, it's not open for interpretation, and we're also living up, I think, to what was said in the past around ministers shouldn't be given the abilities to go over and beyond. I think we're now living up to what has been said by voting this down, which unfortunately the Health minister has suggested here. I think it creates a grey area open to interpretation and open to problems. I mean, I would certainly say that amendment A1, in general, has some problems with it, and perhaps I'll get the opportunity a little bit later, whether it would be this evening, this morning, to talk more fully about that, but we do have SA1 in front of us first that we're trying to address.

Like I said, I think this is the ability for us to extend that olive branch. In all the time that I've had the ability to negotiate with other parties, I've never seen – it almost seems like such a concerted effort with which to take a tense situation and make it even worse. You know, when I'm looking at this in general – and certainly given the timing that this has been brought in around the disclosure of practitioners' salaries, it's interesting that the information required is, shall we say, a little bit lacking. I think I heard mention around the blue-ribbon panel, which we know had looked at expenses and not revenues. So to sit here and say, "Well, we're going to disclose

their gross earnings," I think is lacking in clarity. Albertans will not be able to make an informed decision around that. To try to, I guess, intensify that fight, which I really feel A1 is going to do – I think it's incumbent upon us to look at some of these clauses, specifically, as I said, 20.4 and the subamendment that would start to make, I think, an inflammatory addition to the legislation in Bill 30 maybe a little less inflammatory.

I'm concerned, Madam Chair, that as a whole we may see challenges to this around the release of personal information. It would not surprise me that, should we choose not to accept subamendment SA1 – and I certainly would never presuppose the decision of this House – later down the road, after this amendment is added and the bill is passed, we see challenges saying: well, the Health Information Act should have been included within this legislation. Then we'll find ourselves back here in the House trying to amend this legislation, which we could have had the chance to do at this very moment and save Alberta taxpayers a bunch of money on legal fees, which again seems to be a little bit of a pattern with this government wanting to fight everything, which is not fiscally in the best interests of Albertans.

Why should we yet again look at another court challenge like we've seen on Bill 10? I mean, when I look at what's proposed here right now and Bill 10 and the ability to, you know, add legislation, amend it, delete legislation, it causes me some significant concern. That is getting challenged right now, so why don't we just simply amend this piece, avoid the unintended consequences of legal challenges saying that we should have added the Health Information Act and saved this Legislative Assembly a lot of time, where we could be concentrating on other, more pressing matters for Albertans?

Of course, my intention will be to wholeheartedly support subamendment SA1, that my colleague from Edmonton-Whitemud brought forward and, I must say, explained very, very well around why this legislation needs to be amended in this spot. I do believe there are other pieces that we're going to need to look at on top of that because I think there are certainly some problems. I'll get the opportunity, I'm sure, to address those as we move further on in the debate around Bill 30, A1 and SA1 at the same time.

3:50

My hope is that members of the Assembly will accept this subamendment. Let's not cause ourselves unnecessary grief by excluding it. That way we can get to the business of trying to make Albertans' lives better. Hopefully, maybe with some other amendments we can start to repair that relationship that we currently have with Alberta doctors, which I do believe is very, very tense right now. As I said, I've seen negotiations go not so great, and I'm concerned that physicians feel the need to have to hold a confidence vote in the Health minister. That tells me that there is a failure to listen, and if we're negotiating in good faith, like the Member for Edmonton-Whitemud mentioned earlier in her comments, that means not negotiating on social media, not negotiating in the news.

This is about coming up with an agreement that will work for both sides. But there's a reason why you never negotiate in public, because sometimes you will bring things up that, unfortunately, will quickly get misconstrued, and before you know it, it's blown completely out of proportion. That was never the actual intent around the bargaining, because people don't get to actually sit in on the bargaining and listen to the conversation as it progresses. Just simply getting that little tidbit out in public does a disservice to both sides, unfortunately. That has been the case here as of late with regard to working with doctors. I don't think that it's served

doctors, and it certainly hasn't served this government as well. We need to somehow figure out how to be able to go forward, get a deal that works for the plans of the government. You know, we're trying to help them out here. My favourite words I used to always hear all the time: we're here to help.

The Chair: Hon. members, any other members wishing to join debate on subamendment SA1 on Bill 30 in Committee of the Whole? The hon. Member for Calgary-McCall.

Mr. Sabir: Thank you, Madam Chair. I'll be really brief. Thanks to the hon. Member for Edmonton-Whitemud for bringing forward this important amendment. I think for the most part, I have a question for the government front bench. If anybody wants to clarify that, that would really help. Essentially, this amendment is making a change to, amending, section 20.4, which says "except for the Alberta Bill of Rights, section 20.3 prevails over any enactment that it conflicts or is inconsistent with." Section 20.3 is about the disclosure relating to publicly funded services. It says that except for the Alberta Bill of Rights, which recognizes, declares certain rights and freedoms such as life, liberty, security of person, freedom of association, religion, expression, assembly, those kind of things – it protects them. In section 2 of the Bill of Rights it says that unless you expressly say that this piece of legislation doesn't apply as a matter of interpretation rules, you will read legislation in a way that they are not in conflict with that piece of legislation. Here they are including that, which means that they are excluding any other legislation that they are not expressly mentioning.

My colleague is trying to add the Health Information Act, which is a critical piece of legislation that protects health information. It governs the collection, use, and disclosure of that personal health information. Essentially, what it does is that it balances the privacy of that information with the government's need to deliver health services, the government's need to manage the health care system. I think what I would want to know, or some clarification, is: why is the government not willing to accept this amendment? If they're not willing to accept this amendment, that means, and we are left to conclude, that the government intends to reach out into people's personal health records, into Albertans' personal health records, and doesn't intend to comply with the Health Information Act. If that's not the intention, I think it's a pretty straightforward amendment that will protect personal health information, and that will still be the government regime for the use of that information to manage the health system and to manage the delivery of health care, that is the responsibility of the government. If anybody from the front bench can explain that, that would really help.

Thank you.

The Chair: Any other hon. members wishing to join debate on subamendment SA1 on Bill 30?

Seeing none, I will call the question.

[Motion on subamendment A1-SA1 lost]

The Chair: We are back on the main amendment, government amendment A1. Any members wishing to join debate? The hon. Member for Calgary-McCall.

Mr. Sabir: Thank you, Madam Chair. I rise to speak to this amendment that the government introduced in the name of transparency. I have mentioned it before and will say it again, that if the government wants to pursue transparency as a matter of public policy, there are many other things, there are many other opportunities where they could have demonstrated that. For instance, they set up a war room, the Canadian Energy Centre,

where they provided that centre, led by a failed UCP candidate, \$30 million and exempted that centre – its expenditures, its expenses – from even FOIP legislation so that nobody would know what this centre is doing. Every once in a while we will hear of them in the news media. If they steal somebody's logo or if they go after some journalist or if they do something really unscientific, then we hear about those things that they are up to. Otherwise, they have completely shut down every avenue of anybody knowing what that centre is doing.

Seeing that kind of record of government transparency, I don't think that this amendment relates too much to transparency, because the government time and again have failed to demonstrate any commitment whatsoever to transparency. For instance, they were supposed to give a fiscal update – that's also part of transparency – and they didn't deliver that. They entered into a \$7.5 billion deal, that they even include in their talking points on how they responded to COVID-19. It was the \$7.5 billion Keystone XL deal. We don't know anything, other than that they have preferred equity shares, on how they rank with respect to their debts and what happens if there is a change in the United States, in the White House, all of those things. Again, the government never showed any interest whatsoever in transparency.

4:00

Also, given the record of this government and this Health minister dealing with doctors, I think nobody is buying it, that this provision, this amendment they are bringing forward late at night has anything to do with transparency. It's just a way of grabbing power so they can threaten to use that power to deal with the doctors. That's what they have been doing. The minister said very recently – actually, he didn't commit to transparency. Rather, he was threatening doctors that he will reveal their contracts and their compensation if they don't come to the terms. So I think this amendment needed to be looked at in that context. That is the proper context of it, that it's just another attempt by this government and this minister to deal with the mess they have created in health care by cancelling their contracts, by time and again berating them, devaluing them, carrying on a smear campaign against them, and even going to one doctor's house to berate and yell at him in front of his family because he dared to disagree with them.

We do know that this amendment that they are bringing forward has nothing to do with transparency. Rather, there is enough power given to the minister in this that there is a serious risk that people's health information will be used in ways that it should not be. We saw that by government refusing to acknowledge that the Health Information Act and the information that is collected under that act will be protected and will not be used in a way that it should not be. It says that section 20.3 prevails over any enactment. It means that government can rely on this piece of legislation, section 20.3, and can bring changes that may be such that the Health Information Act will not prevail. Rather, this provision will prevail, and people's health information may be used in ways which are less than transparent.

Again, taking government's words at face value, I also want to move an amendment, Madam Chair. I have the requisite number of copies to distribute at this point, and I would like to move that amendment.

The Chair: Hon. members, this will be known as subamendment SA2.

Hon. member, please proceed.

Mr. Sabir: Thank you. The Member for Calgary-McCall moves that amendment A1 to Bill 30, Health Statutes Amendment Act,

2020, be amended in part A in clause (b) by adding the following immediately after the proposed section 20.3(4):

(4.1) If the Minister is required under subsection (4) to disclose information about the amounts payable to a health entity for the costs of the health entity's provision of health services to residents, the Minister must, at the same time and despite anything to the contrary in this section, disclose the following costs, as reported by the health entity to the Minister, as those costs relate to the health entity's provision of those health services:

- (a) wage and benefit costs in relation to staffing;
- (b) costs in relation to maintaining a place of business, including, as applicable, leasing or rental costs or property tax costs;
- (c) costs in relation to the health entity's use of information management programs and technology;
- (d) costs of supplies and equipment;
- (e) costs of professional licensing and insurance fees.

As I mentioned, over the period of the last year the government's relationship with doctors, with their representative organizations has been such that it's broken beyond repair. Time and again government has led a campaign to smear Alberta's physicians, doctors, and front-line professionals, and they have done that in the midst of a pandemic as well. They have put in a lot of effort to discredit physicians, their representative organizations.

Again, if this amendment has anything to do with transparency, I think the government and members of this House will agree that any doctor who is providing services in this province does have certain overhead costs that go into the provision of that business. For instance, they will have to have some staff to help manage that service. We all go to doctors, family physicians. We have seen that there is somebody to receive your phone call. There is somebody to receive your e-mail, respond to your e-mail, book your appointment. That staff is an essential part of that service delivery. Certainly, doctors have to lease or rent some property to build that office, to have that set up somewhere, and that set-up will have rent, utilities, other property taxes, other costs that are associated with the delivery of that service. I think every one of us can agree that that goes in to the cost of delivering that service.

Then, physicians, doctors, as members of the profession, do have certain professional obligations to comply with. They do have legal obligations to comply with. They have obligations under the Health Information Act, the privacy act. All those things also cost money. Sometimes you have to have certain programs in place, information management technology in place. Sometimes you have personnel in place, and all those things, again, go in to delivering that service.

4:10

Similarly, as part of that service delivery they do have to buy certain supplies, certain equipment. That's, again, a cost of delivering that service, and in order to deliver that service, they have to have professional licensing and they have to pay certain insurance fees so that they can run their practice. I think professional licensing may not be the case after the government passes this piece of legislation and makes it a for-profit business for any corporation to deliver that service, but generally speaking, when we talk about physicians' compensation, all these things that I outlined are part and parcel of delivering that service. We, all of us, have seen those things.

We are aware of those things, and it's only fair that when we talk about disclosure of physician compensation, we also disclose the cost of delivering that service, these costs, the wages and benefits that they pay, the cost of renting or leasing the premises, the cost of health information management, the cost of any technology they employ to manage and protect that information, the cost of supplies

and equipment, and the cost of professional licensing and insurance fees. That will give us a transparent picture of what the actual costs are of delivering health services. What are the costs that physicians are incurring while providing that service, that valuable service? What actually is their actual compensation?

In short, if the government amendment has anything to do with transparency, this amendment certainly strengthens that transparency. This amendment certainly strengthens the disclosure, makes it proper, makes it more transparent, and I hope that all my colleagues on both sides of the House can support this very common-sense and reasonable amendment.

Thank you.

The Chair: Any members wishing to join debate on subamendment SA2? The hon. Member for Edmonton-West Henday.

Mr. Carson: Well, thank you, Madam Chair. It's an honour to rise this morning and speak to this very reasonable amendment put forward by my colleague from Calgary-McCall. Of course, through this debate we in the NDP opposition have raised several concerns around the amendment that this government brought forward early this morning, of course, the main one being that there was zero consultation done on this amendment, and the other fact is that they're bringing it in at what was probably around 1 a.m. this morning. Really, for something that the government all of a sudden feels is such an important amendment, why wasn't it brought in when this legislation was initially tabled and potentially even before as discussions with physicians around compensation started?

Now, our concern or one of our concerns is that this government is using the amendment before us, the amendment that we're, of course, trying to amend right now, to undermine the work of physicians across our province and, I would say even more so, undermine physicians in rural communities, which is very concerning considering the UCP has a large majority of seats that are representing rural communities, yet we've heard very little, if anything at all, from government members that aren't on the front bench.

It's quite frustrating, going through that process and seeing virtual silence from a government that said during the election that they were going to stand up for health care, even to the point that not that long ago the Minister of Health stood up and talked about – it was quite an interesting discussion about semantics around whether the agreements were ripped up. The minister doesn't seem to recall that the legislation that he passed enabled the government to rip up those negotiations, and the Health minister went so far as to say that the AMA was actually asking for that to happen. So while we are trying to debate a piece of legislation in front of us that is extremely flawed, the Health minister is still in a place, in a position where he's not even willing to admit how we got here in the first place, why physicians feel undermined in the first place and why they feel attacked, why 42 per cent of physicians in a recent survey said that they were considering leaving the province. The minister doesn't seem to understand how we got to that position.

At the same time, the minister went on to say that there was no formal proposal that was brought forward by the AMA through those negotiations, which, you know, is not entirely true, Madam Chair. It was quite clear and it was public, the discussions and the proposals that physicians were putting forward, yet this minister pretends that that simply didn't happen. It really goes along with the fact that while we're trying to have reasonable debates where we're bringing the best information forward in terms of what it means to further privatize our health care system, this minister and this government are not even willing to agree with the bare-minimum facts that are before us.

It's extremely frustrating. It's hard for us as an opposition to bring forward these concerns and be totally ignored by this government but, even more so, concerning for these physicians, who are trying to explain to this government that their voices aren't being heard, that what they're doing is going to hurt fundamentally the health care that is provided to urban centres but, potentially, even more so to rural communities, which is, once again, why I'm so concerned that government private members are not standing up to fight against what is being proposed.

Another concern is that this government, you know, talking about transparency, talking about health care costs in the system, have actually moved to bring in new health care providers like the Babylon system, that was talked about earlier this session. We've seen the expansion of that. The critic for Health in the NDP caucus here explained quite well that if this was about bringing down costs, it's kind of questionable that the billing procedures that Babylon was actually able to offer were going to cost Albertans and taxpayers even more than what physicians in our communities were actually charging. So, on one hand, this government is trying to arbitrarily change caps and the ability of physicians to reasonably bill out for the practices that they're carrying out, and, at the same time, this government is opening the door for private corporations to actually charge more than what people living in our own community are charging. It really fundamentally goes against the discussions that this government has brought forward and their reasoning for bringing this forward when they're actually enabling corporations to come in and profit on the public health care system.

When we look at this subamendment that's before us – and I appreciate the Member for Calgary-McCall for bringing it forward because as we look at this amendment, the one brought forward by the government, it is deeply flawed in many respects. Potentially, the biggest flaw, though there are many, is that this government either willingly or unknowingly has given themselves the ability to in any circumstance release the billing procedures of several different organizations at their will. In this legislation they're not prescribing that every one of them do that or that they shall most definitely but that the Lieutenant Governor in Council and, by extension, this minister may by regulation require the following health entities to disclose this information.

So while we are going through the process of negotiations, while physicians would like to get back to that process of negotiating in good faith – we'll see if this government ever comes around to the idea that sitting down at the table is the best way to negotiate and not through media and not through yelling at physicians across the province. If we can get back to that place, the fact is that this government is giving themselves the ability to arbitrarily decide which of these organizations, whether it be the AMA or Covenant Health, are to disclose their billing procedures. This is a tool that they can use to strong-arm physicians and these organizations in negotiations. Once again, the timing of this is quite coincidental, I suppose you might say, Madam Chair, but, you know, really, we see what's happening here.

4:20

When we look at this amendment and the idea that this government, while calling for further transparency from physicians while, of course, not expecting it from themselves in other instances, are actually glossing over the fact that physicians, while, when we look at their gross compensation, may make upwards of several hundreds of thousands of dollars, when we start to break down the numbers – and the Health critic and the Member for Edmonton-City Centre went over quite extensively the fact that depending on where you live in Alberta and where you choose to

live and practise, the costs of living could change quite substantially, whether it be the cost of staffing people in your community or the cost of leasing or renting a building for your operations. That is very case by case, and the fact is that this minister and this government in the legislation that they've put forward have once again glossed over that entirely, that there are changes depending on where physicians practise.

It's very concerning that this government wants to go through negotiations and say, "Oh, this physician might make \$400,000 a year," neglecting to recognize that after all of the expenses are paid and we look at the important training for these medical professionals, they may be walking away with only \$100,000 at the end of the year. Of course, Madam Chair, that is hypothetical, but, really, that is more than we've even come to expect from the Minister of Health.

I once again appreciate the Member for Calgary-McCall for bringing this forward because it's an important part of the conversation that this minister and this Premier have completely neglected to discuss and instead have worked through this amendment that's before the House and through Bill 30 as a whole and through their tearing up of the contracts or the negotiations for physicians have totally undermined those very same health professionals. The timing, in the middle of a pandemic while these physicians are trying to take care of their communities and are being undermined by this minister, is completely unacceptable.

Once again, to see this amendment before the House, brought in at approximately 1 this morning, is ridiculous. It has not even been seen by the people of Alberta for them to consider it and decide whether what is being proposed is what is actually going to strengthen the health care system, and that's very unfortunate.

I hope once again that private members in the government are fighting for their physicians, because it's been radio silence from that side of the House. I only hope that behind closed doors they're willing to be louder than they are here in the Legislature because, frankly, it's quite concerning that they're not willing to fight for these physicians in their community and, more importantly, that they're not willing to fight for the families that depend on these physicians in their community, that they're not willing to push the minister to be transparent about the billing practices and instead have gone along with that minister as he unilaterally started pulling billing practices and bringing them forward to try and intimidate physicians in our province.

Once again, Madam Chair, I really hope that the government will consider this important and very reasonable subamendment talking about the breakdown of wages and benefits and the cost of leasing and renting these facilities. It is an important part of the conversation, and it most definitely should be included in the legislation that's being proposed to make it just a little better, because the fact is that this amendment as proposed by the government is not going to strengthen the health care system. It is going to be used as a tool to undermine those physicians and those health care workers, and that is simply unacceptable.

Thank you, Madam Chair.

The Chair: Any members wishing to join debate on subamendment SA2? The hon. Member for Calgary-Buffalo.

Member Ceci: Thank you very much, Madam Chair. With regard to SA2, the subamendment brought forward by my colleague from Calgary-McCall, I hope to speak to this and to talk about it as a reasonable amendment to bring to add greater clarity, not unlike my colleague from Edmonton-Whitemud, who brought a subamendment with regard to putting the Health Information Act into a previous clause. That would have afforded an opportunity for

more belts and braces to the amendment, or the part of the disclosure permitted despite other laws.

You know, when I was on Calgary city council, we used to have one city councillor who would be counted on to stand up and talk about bringing belts and braces to a discussion. He would insert something, and we all kind of knew that it was something that you could read into whatever the particular argument was or policy we were debating or land-use amendment we were debating. This city councillor, then alderman, would kind of make it more clear. He'd say, you know: it doesn't hurt anything; just leave it there. My colleague from Edmonton-West Henday or previous colleague from Edmonton-South said that, you know, we want to add a lot more clarity – or maybe it was the colleague back here from Edmonton-Meadows, I think, who said that in future years this group of people won't be here. The other people will be here, and they'll have to interpret – the Member for Edmonton-Decore? – the laws and the policies and the statutes that have been brought forward by folks. I've got it right in front of me, too, and I'm looking at all of the names. I think I need new glasses.

We won't be here, so the clarity that we can provide now – Member for Edmonton-Decore, you're certainly correct, hon. member – with belts and braces would be beneficial to future legislators. That was something that used to be done by Councillor John Schmal all the time. I can remember that every time he would stand up, he would talk about belts and braces. So would Alderman Erskine, by the way. What we have before us is a belts-and-braces provision from the hon. Member for Calgary-McCall.

Particularly, if this amendment, brought forward at 1 o'clock in the morning by the hon. Minister of Health, is passed, the health entities, as I understand it, will have to be providing the Minister of Health information about the records of the practitioners who are delivering health services that they have in their employ or are in their corporations. What will those health entities need in the future to really clear things up and to provide consistent information and to provide comprehensive information that's consistent across all health entities with regard to the practitioners in their employ? They would need direction, and instead of leaving that up to regulations as is indicated here, where Albertans – certainly, practitioners and interested stakeholders like the AMA and the College of Physicians & Surgeons don't know how those decisions will be taken.

If this subamendment is passed, we can understand the kinds of criteria for essentially things that are taken away from the total remuneration physician billing that is provided. Those things would be

- (a) wage and benefit costs in relation to staffing;
- (b) costs in relation to maintaining a place of business, including, as applicable, leasing or rental costs or property tax costs;

and (c) is with regard to the information management program and technology, which is substantial. If anybody has ever been recently to a physician's office or a specialty medical practitioner, you know that the equipment they have there that shares medical records and other things is substantial, not unlike a dentist in terms of start-up costs. And then

- (d) costs of supplies and equipment;
- (e) costs of professional licensing and insurance fees.

It's more than belts and braces; it would provide assurance, is what I'm trying to say, and give direction to the health entities that have to provide this information. It is more clear regarding those entities and the information that they should be providing the minister, and it is substantive in terms of a good addition to a rather challenging piece of legislation in terms of an amendment.

4:30

As I spoke to this earlier, we believe wholeheartedly in sunshining, but the timing of this amendment coming forward leaves us all on this side to suspect that it's more than sunshining that is being dealt with here. It is a negotiation tool, a leveraging tool, to essentially let physicians know who's in control and who's the boss and to further sour a relationship that was positive before the current UCP government Minister of Health decided that there were take backs necessary. Instead of negotiating those take backs, we see where we're at now in terms of the soured relationship and the, frankly, concern all Albertans have with regard to what's going on during the middle of a pandemic.

Again, the subamendment brought forward is an attempt to help this amendment out with greater clarity. It's more than belts and braces though it does have that ability as well to say that this is exactly what's being requested as opposed to leaving things somewhat up in the air from the perspective of people on the outside. My colleague clearly has the understanding of the treatment offices, the work settings of physicians, and has outlined in an eloquent kind of subamendment exactly what needs to be coming off the physician payments, that the Minister of Health is looking to retrieve information and then publish that information for all Albertans in terms of sunshining.

As I say, the way we did things was different from this government. It was sitting down and negotiating, and there were take backs that were achieved in those negotiations. There were other reasons why there were take backs negotiated and why there was a growth in remuneration of the physician contract.

I do want to thank my colleague from Calgary-McCall. We've got a number of amendments that'll make Bill 30 better ultimately, and this is one of those subamendments.

I think with that, Madam Chair, I will take my position.

The Chair: Any other members wishing to speak to amendment SA2? Seeing none.

[Motion on subamendment A1-SA2 lost]

The Chair: We are back on the main amendment, amendment A1 on Bill 30 in Committee of the Whole. Any members wishing to join debate?

Seeing none, I will call the question.

[Motion on amendment A1 carried]

The Chair: We are back on the main bill, Bill 30, in Committee of the Whole. I see the hon. Member for Edmonton-Decore.

Mr. Nielsen: Well, thank you, Madam Chair. I appreciate the opportunity to speak to Bill 30 here. I don't know if it's this evening or this morning as the proper way to address the time we're at here. It's unfortunate that some of the amendments that we had proposed earlier weren't accepted. I think this creates some problems with the amendment that was just added to the bill.

As a whole Bill 30 certainly has some significant problems. But what I want to do, Madam Chair, is speak to a bit of a conundrum that we have with Bill 30 as presented. What I need to do is I need to lay out a scenario here and why it now becomes conflicting with what's proposed in Bill 30.

As we know, the UCP government says that they want to streamline the health system to reduce red tape and to reduce costs. However, in their actions they've actually done the opposite. That is where we start to begin the conundrum with Bill 30 as presented. As we know, the government already introduced changes this past April, in the midst, of course, of a pandemic, that shut down many

types of health services, that increased wait times for patients, increased costs to the system, and decreased service for patients by their actions related to diagnostic imaging, Madam Chair.

For the past number of years professional chiropractors and physiotherapists have been allowed to order diagnostic imaging services for their patients under the public funding model. You can start to see how we're potentially running into a problem here. However, earlier this year the government removed this practice, forcing patients receiving chiropractic or physiotherapy or audiology care to have to go to a GP to order an MRI, X-ray, or other diagnostic imaging services or to pay for these publicly available services out of their own pockets.

As we know, in a letter to a chiropractor that questioned the Minister of Health's decision, the minister wrote, and I quote from this chiropractor: it's about adhering to the obligation to manage the physician services budget under which physicians, in this case radiologists, cannot be compensated for providing services that are uninsured or related to an uninsured service; it affects who is paying for the service; patients will be responsible for payment of any referrals for diagnostic imaging by chiropractors.

With regard to Bill 30, the same government that removed public health insurance system payments for diagnostic imaging ordered by a regulated health professional is going to allow private, for-profit corporations to bill and receive payment from the Alberta health care insurance plan. In Bill 30 what we're seeing is the ability for private, for-profit companies to be able to access public funds to deliver public services. Yet here we have services that are not able to access public funds in order to reduce those times, reduce those costs. We find ourselves in a conflicting position. I guess, to build on that case a little bit: a private corporation can bill and be paid by the public purse, but Albertans have to pay out of pocket for diagnostic imaging ordered by health professionals who are regulated by – guess who? – the Alberta government. If this isn't a philosophical disconnect, I don't know what is.

For those patients that do not have the means to pay for these services themselves and rely on the public health system, this means additional delays between getting an appointment, meeting with the GP, ordering and scheduling the tests, waiting for the results, and a consult with the GP, and then the GP sharing these results with the chiropractor or physiotherapist, who can then review and make treatment options available.

If we're talking about reducing red tape, reducing costs, and allowing Albertans quicker access, well, what we've just seen in terms of changes earlier this year goes against that philosophy. Again, we find ourselves in a position where we've said one thing, but now we're doing something completely opposite, which is in conflict with that. Is it a case? Do we really want to reduce red tape? Do we really want to reduce costs to the health care system?

4:40

This change of eliminating public funding for diagnostic imaging ordered by chiropractors and physiotherapists also undermines WCB and motor vehicle accident or DTPR programs. Both of these, Madam Chair, are publicly funded government-directed programs. This government can't keep its political philosophy the same by making one bad decision and another. Again, how can we now say that we're going to bring in private for-profit companies to deliver public health care using public dollars, yet our chiropractors and physiotherapists, which are regulated by the Alberta government, cannot provide services in a timely manner through public dollars? As a result, we will see people that will be sicker, not healthier, increased tort activities, and higher WCB insurance costs. Now, I'm certainly hoping that it's not the intention of this government.

We've seen them raise insurance costs generally for people. Do we really want to see these WCB costs rise for employers? I mean, we're sitting here considering things like trying to save companies \$100 million by adjusting when terminated people get their final payout for money that's already legitimately theirs. We're just seeing a complete course of conflicting language as we go out. Throughout the legislation we keep seeing it presented.

Chiropractors, physiotherapists, and physicians, all health professionals regulated under the Health Professions Act, are designated providers for WCB and the motor vehicle accident injury recovery program, known as DTPR. These programs were developed with the understanding that the medically necessary imaging required to facilitate safe and effective care would initially be covered by the Alberta health care plan so as not to add out-of-pocket costs to Albertans recovering from their workplace or motor vehicle accidents.

Here we are saying that we want to make the lives of Albertans better, we want to improve their wait times and reduce red tape, yet decisions that we've just made earlier this year go contrary to what is being proposed within Bill 30. Both WCB and DTPR have time-bound protocols for assessment, diagnosis, and delivery of care of six weeks and 90 days, respectively. Requiring a physician requisition to have Albertans' medically necessary diagnostic imaging publicly funded can result in delays of up to one to two weeks just to receive imaging, cutting into time available to provide actual patient care that leads to recovery. This shortchanging of care means that Albertans impacted by workplace injuries or motor vehicle accidents lose access to receiving their full legislated allocation of care. This undermines their ability to return to normal activities, including supporting themselves independently by being able to return to work and contribute to the Alberta economy.

If we're truly trying to reduce red tape, if we're truly trying to reduce our costs, that decision that we'd made earlier this year does not make sense based on what we are proposing in Bill 30. The whole premise is around reducing our costs and allowing for wait times to be improved by introducing more private for-profit companies to deliver these services using public dollars. This move penalizes patients for seeing chiropractors, physiotherapists, the very professionals best positioned to assist them in recovering from their primary musculoskeletal injuries. Many WCB and motor vehicle accident injuries require diagnostic imaging to ensure appropriate assessment and diagnosis to return Albertans to work healthy. Removing the ordering for publicly funded, medically necessary diagnostic imaging by two out of three professionals legislatively designated to provide this care will only hurt Albertans in their recovery. And, of course, it hurts their wallets. So if we're trying to bring about a system that's supposedly more efficient, this decision does not do that. I guess I'm wondering why this maybe wasn't reviewed when Bill 30 was introduced.

Additionally, it will likely result in more tort activity as patients turn to lawsuits to cover the care they need, further delaying their return to normal activities and driving up insurance costs. Now, we've certainly heard that there's some issues around claims with insurance, so if we're going to cancel these sorts of things and force people to seek legal compensation, those costs are going to go up, which, again, is counter to what the government is saying it wants to do around making the lives of Albertans better. As the government already knows, the Alberta College and Association of Chiropractors and physiotherapy Alberta has sent this information to the President of Treasury Board, the Minister of Health, and the Premier in March of this year. With this information from regulated health professional organizations the government chose to move forward and increase the cost and time for patients requiring

diagnostic imaging and still stand up, unfortunately, shamelessly in the House and say that they're working for patients.

If we are indeed working for patients, it doesn't make sense that we allow this type of thing around diagnostic imaging to not be covered by public dollars, yet we're going to use public dollars for private, for-profit companies to deliver services just like physiotherapists and chiropractors and audiologists are doing. This is just part of the problem that we have around Bill 30. As I mentioned earlier in discussion, we have seen a rather tense situation with all of our doctors. I know this move around cancelling diagnostic imaging has further alienated those health care professionals. At the end of the day, I know that all of these professionals are very committed to their patients. They want to see them healthy as quickly as possible, and to do that, they need to be doing things like diagnostic imaging. We can't propose the things in Bill 30 and yet not address those items. They are completely conflicting around that.

Some of the other comments, though, that I do want to also address around Bill 30 and, of course, some of the new information that has just been added to the bill around disclosure: we did, of course, try to amend that with regard to how that information was being disclosed, making it a little bit more robust so that it's not just about gross income that's being disclosed but also the costs that are associated with it. I've heard from many, many doctors about malpractice insurance. That cost for them is significant around that. So I guess when I look at this addition to Bill 30 that's now been added, it feels a little bit like – well, you know, I'll just come right out and say it – it's made to intimidate our doctors.

4:50

Madam Chair, I've seen, over the course of my time through the labour movement, employers that try to come up with many different ways with which to pressure employees. This, unfortunately, feels very, very familiar around this. It kind of feels like what companies try to do around union-busting. The AMA, of course, is the representative of our doctors, and we're seeing a very targeted effort with which to create problems there and, essentially, for the doctors kind of bust their union although it's more, obviously, an association than what would be necessarily considered a formal union. But the bottom line is that that group does work on behalf of all doctors. The addition to Bill 30 that we've just seen is creating that type of atmosphere.

Now, not only are we seeing that our chiropractors, our physiotherapists, our audiologists are finding themselves trying to provide services in a timely manner to their patients and essentially being blocked by doing that; we have this, which I think is further going to exacerbate the relationship between Alberta doctors and this government. As I said, I wouldn't be surprised now if, you know, clauses of Bill 30 find themselves in front of an arbitrator, if not even a court, quite honestly. The changes around private information, I think, are going to be significantly problematic, and we're going to find ourselves back here amending legislation. Again, referring back to the 29th Legislature, I used to hear the opposition complain that that government is going to find itself in front of the courts because we wouldn't listen to the opposition around the unintended consequences and everything like that, and I think we're going to find ourselves in that situation here.

At the end of the day, Bill 30 is an omnibus piece of legislation, which members opposite in the past very clearly were against. So, again, I can't help but ask: looking back, was what was said back then true? Did they actually believe that, or was it just convenient at the time to say that, and now it's really not a case that – you know: we didn't really believe omnibus legislation was bad. It kind of seems like that is the case given the number of pieces of omnibus

legislation that have come before us over, quite honestly, a very short period of time.

My suggestion as we move forward – I'm sure there will be many more amendments that we are going to propose within Bill 30. I think it would be in the government's best interest to look very seriously at those amendments, at trying to make this legislation a little less bad. You know, if we are truly supposedly trying to create labour peace and supposedly balancing workplaces again and going after all of our health care professionals that have done so much to keep us safe during this pandemic at risk, of course, to themselves, it would seem rather silly to be thanking them in such a way as to bring in this kind of legislation that very, very clearly either works against them, makes their jobs much harder, and probably also makes life more difficult for Albertans, introducing conflicting legislation. I don't see how that serves Albertans, who at the end of the day are the main ones that we need to be concerned with. We need to rethink the direction that Bill 30 is currently suggesting.

The Chair: Any other members wishing to join debate on Bill 30 in Committee of the Whole? The hon. Member for Edmonton-Whitemud.

Ms Pancholi: Thank you, Madam Chair. It's a pleasure to rise again once again in Committee of the Whole on Bill 30, the Health Statutes Amendment Act, 2020. I'd like to begin again by noting the late/early hour of the day and commenting again to thank all of the staff who are with us today in the Legislature for their long hours they put in: the *Hansard* staff, the sergeants, the sheriffs. I've actually, with great pleasure, just noticed that we have a page in the Chamber with us today, which we have not seen or I haven't seen for some time.

An Hon. Member: There are two.

Ms Pancholi: Oh, two? I can't see. There we go. A couple of pages there. I can't see you behind the chair. Thank you for being here. I'm a little concerned about you being out here in the middle of the night like this, but thank you for being here at this late hour.

I'd like to begin my comments right now to note that, you know, Bill 30: we've said a number of times on this side of the House and we will continue to say it because it's important that Albertans understand what the government is truly doing with Bill 30. Particularly, what we know is that this bill, as innocuous as the government would like it to seem – certainly, debating in the shadows of the night is part of that plan, I believe, to keep Albertans from seeing what's really happening here.

What we think it's very important to highlight and to make sure that Albertans understand is that what we see with Bill 30 is not only refuting what the government claimed they would do with respect to health care in this province, which was a commitment to preserve publicly funded health care, but it's actually also intended to really open up our system in a way that is very different than has been before to privatized, American-style health care. That is absolutely what's happening here despite what the government would like Albertans to believe. We've heard the government stand up and say: "This is simply with respect to private surgical clinics. We already have private surgical clinics. This is nothing new." But we know very well that this is very different than what was before.

I just want to note that actually one of the, I guess, mobilizing moments for myself to get involved in politics actually was around what was known infamously for many Albertans as Bill 11 under Ralph Klein, which was actually the Health Care Protection Act and bringing in private surgical clinics into our system. That was actually many years ago now, and that was one of the issues that I found myself for the first time as a young person in Alberta

becoming very concerned about and becoming very actively involved. I was on the steps of the Legislature like thousands of other Albertans standing up for our publicly funded health care system, and even at that age for myself I understood the implications. I didn't have to have a very sophisticated knowledge of health care systems and the way they work to know that what was going on in the United States was not something that I wanted in my province but also did not serve its citizens well.

I find it very, I guess, full circle in some respects, Madam Chair, that here I am now as an elected representative dealing with that issue again and dealing with a government that I believe is being very disingenuous about their intentions, but it's important that Albertans know what's really happening.

We've heard, you know, that it was part of the United Conservative Party campaign platform to reduce wait times by introducing more surgical clinics. On that note, I want to begin by saying that we have a number of instances of evidence and research to show that the creation and establishment of more private surgical clinics does not actually reduce wait times and actually is not an efficient use of government dollars. We actually have examples in Alberta, but we have examples across the country to look at where there have been times where private surgical clinics have actually ended up costing the taxpayer dollars more, especially because we know there are situations, a number of situations.

In B.C. there were private, for-profit clinics that were charging nearly twice the price and costing nearly twice the price for MRIs. In Quebec eye institutes, where the cost of those were much higher than in the public system, the surgical procedures that were done there cost more in the private clinics than it did in the public clinic. We have examples right here in Alberta. In Calgary, the Health Resource Centre, which many of the members here will be familiar with: it was found that for the procedures that were being conducted at that private clinic, not only did it cost the public health care system more, but of course, as many will remember, that clinic was a spectacular failure and actually put taxpayers on the hook to bail it out, so it cost the system more.

We also know, apart from the fact that for-profit clinics do not necessarily save us money and, in fact, could cost our system more money, that they don't necessarily have the impact on wait times that the government claims, that they're actually staking their claim is going to happen.

5:00

In fact, we know that wait times, particularly in Saskatchewan, for example, they had examples there where wait times actually went up and largely because, as we've said a number of times in this House – and I recall even earlier this Legislature when my colleague the Member for Edmonton-Rutherford introduced a private member's bill to protect public health care. We talked explicitly about the fact that introducing more private clinics into the health care system does not result in reduced wait times. What it does is that it takes away resources and physicians and nurses from the public health care system and ends up creating a drain on the public system, and more complex cases end up being the concern and the sole responsibility of the public health care system. We know that private surgical clinics end up doing more simple, ultimately more costly procedures, and it's the more complex cases that actually end up being left to the public system.

There is not an infinite number of health care professionals in our system. In fact, what we've seen, given this government's conduct and its approach to our health care professionals in Alberta, is that they're actively driving away doctors from this province. It's been cited a number of times. You know, it's interesting that the Minister of Health disputes this. But, of course, we know that there's a

survey that was done that said that 42 per cent of Alberta physicians are considering leaving the province, and although the Minister of Health denies this, he still felt the need somehow, even though apparently no Alberta physicians are leaving, to change the direction to the College of Physicians & Surgeons to direct physicians not to leave Alberta, which is an interesting tactic. If no Alberta doctors are leaving, why was that directive necessary?

We know that there are fewer and fewer doctors who want to work in this province right now. That's been abundantly clear. We saw just a mere hour ago this government again bring forward an amendment that is not in good faith, that's not designed to actually support a negotiated resolution with the doctors in this province but is intended to be antagonistic and to draw and push more doctors out of our system. When we're opening up more private clinics, we don't have the resources to make sure that there are enough physicians, not just physicians but nurses, all of the health care supports who need to be in place in a private clinic. They're simply going to be drained from the public system. There's no magic wand that's going to suddenly create enough doctors to serve both the public and private system. It's just spreading around doctors, moving them from one area to another. So that's a significant concern, Madam Chair. I think we have lots of evidence to show that the intent behind the changes that have been proposed in Bill 30, to make it easier for private surgical clinics to be established, is not going to actually assist our public health care system.

That's actually precisely the point that we're at today. The most clear indication from this government that they actually are not committed to the public health care system and preserving the public health care system is that the changes set out in Bill 30 explicitly repeal the provisions of what is now the Health Care Protection Act but, should Bill 30 pass, will become the health care facilities act. Through Bill 30, in fact, it is the clearest indication to Albertans that the intent behind this act is not to protect our public health care system but to undermine it. They're proposing under Bill 30 to repeal the provisions that ensure that before a minister approves an agreement to establish a private surgical clinic in Alberta, he has to establish and confirm that such clinic will not undermine our public health care system.

That's the concern, Madam Chair. Right now in the Health Care Protection Act before the minister can approve an agreement to establish a clinic, the minister must be satisfied "that the provision of the insured surgical services as contemplated under the proposed agreement would not have an adverse impact on the publicly funded and publicly administered health system in Alberta." Further, the minister is required under the current Health Care Protection Act to ensure that the establishment of this private surgical clinic would have an "expected public benefit" in providing the services and that it would consider "access to such services, quality of service, flexibility, the efficient use of existing capacity, and cost effectiveness and other economic considerations."

These are the protections, Madam Chair, that are currently in the Health Care Protection Act for the public health care system even with the establishment of private surgical clinics. Those provisions are key to show a commitment to the preservation and protection of our public health care system, and these are the provisions that Bill 30 is intending to repeal. It is clear as day that this government is not looking out for the public health care system, that they're not invested in protecting the public health care system, that they're perfectly content in approving the delivery of private surgical procedures in clinics operated by corporations that are not necessarily going to be motivated by the same interests and goals as physicians in the public health care system. It is clear that they're absolutely saying that it's fine if what we're doing here undermines

the public health care system. That is the piece that Albertans should be very concerned about.

When we stand up on this side of the House and we say that this bill is opening the door to a privatized, American-style health care system, this is what we're talking about. This is what we're talking about. If this government was committed to protecting the public health care system, there would be no need to repeal this. There would be no need to say that private surgical clinics can open without an assessment of the impact and, particularly, the adverse impact of that clinic on the public health care system.

To date I have not heard any member from the government side speak to why they felt it was no longer necessary to do this. We've heard the Minister of Health talk about the fact that he's trying to make, you know, red tape reduction, get rid of some administrative processes. This is not an administrative process. This is the commitment in our current legislation to our public health care system. It says that even though we might have private surgical facilities, we will ensure that those facilities will not interfere or have an adverse impact on our public health care system.

All Albertans should be deeply, deeply concerned about this provision. I believe it's important to give the government an opportunity to rectify that, to establish that they are clearly committed to protecting our public health care system and to preserve that commitment in legislation. For that reason, Madam Chair, I'd like to introduce an amendment.

The Chair: Hon. members, this will be known as amendment A2.

Hon. member, just a note. You're moving on behalf of another member. Please proceed.

Ms Pancholi: Thank you, Madam Chair. That's right. I am moving this on behalf of my colleague the Member for Edmonton-City Centre, and I'll read the amendment into the record now.

The amendment states that the Member for Edmonton-City Centre to move that Bill 30, Health Statutes Amendment Act, 2020, be amended in section 2(5)(a), in the proposed section 8(1.1), by adding the following immediately after clause (c):

- (c.1) impact of the provision of the insured surgical services as contemplated under the proposed agreement on the publicly funded and publicly administered health system in Alberta;
- (c.2) expected public benefit in providing the insured surgical services as contemplated under the proposed agreement, considering
 - (i) quality of service,
 - (ii) flexibility, and
 - (iii) the efficient use of existing capacity.

As I stated, Madam Chair, the intent of this amendment is to put back into legislation in Alberta the protection of our public health care system. It is intended to be an opportunity for the government to right what I perceive to be a wrong and what the members of the opposition perceive to be a wrong. In fact, it is an opportunity for the members of the government to hold true to their commitment which they made in the UCP campaign platform when the Premier stood up and signed that big cardboard piece of paper saying that he was committed to our public health care system.

This is an opportunity to put that commitment into action, to right the wrong that they have made under Bill 30 by removing the requirement that any establishment, any agreement establishing a private surgical clinic in Alberta must first be assessed by the Minister of Health to determine whether or not there's an impact on the public health care system. In particular, we're asking for a recognition that that assessment must show that the proposed agreement will assess the impact on the publicly funded and publicly administered health system and that it shows that the proposed agreement has considered the quality of service, the

flexibility, and the efficient use of existing capacity and that there is an expected public benefit.

5:10

Again, this should be consistent with what the government claims they're doing. They claim that they are committed to our public health care system. They claim that the intent is to actually make our health care system stronger by ensuring that there are potentially better uses of public dollars and reduced wait times, all very important things, but within the scope of our public health care system. Essentially, Madam Chair, I believe that this is an opportunity for the government to stand up and demonstrate their true commitment, to show that they're not trying to undermine our public health care system, that the intent of Bill 30 is, as they say, still reflective of their commitment to the public health care system, and that this is not opening the door to more privatization of health care, to an American-style, two-tiered health care system.

They say that they don't want to do that, they say that that's not what they're meaning to do, and they accuse the opposition of fearmongering by saying that. But the reality is that they're assuming, I believe, Madam Chair, that most Albertans will not be aware of this provision. It's one of the reasons why I believe we're having this debate in the middle of the night/early morning, because most Albertans are not awake right now. Most Albertans don't know what's happening. It's why this has all been compressed and we are dealing with this at this time. We also know, by the way, that the government gave oral notice yesterday of intent to bring closure, which means at some point they are likely going to be considering shutting down debate or limiting debate on this. That is, of course, another indicator that they are trying to limit the amount that Albertans know about what they're doing under Bill 30. It's one of the reasons why we're standing up repeatedly, over and over, to talk about it.

Quite honestly, Madam Chair, we know that Albertans are very overwhelmed right now. We know that's actually probably part of the strategy and tactics of this government right now. There's been so much happening right now in the context of an already historic drop in oil prices and a pandemic, which has sent families and Albertans reeling, yet this government has pushed forward with an agenda that has not paused, that has not even been reconsidered in light of the pandemic. Everything we're seeing, that we've seen over the last few months has been essentially the same thing that the government was doing prepandemic. They have not switched gears at all. They have not shown that they've learned anything. They've not shown that the times are different for Albertans. They've not shown that they understand that more than ever over the last few months Albertans and Canadians across this country have valued our strong public health care system more than anything else, that it has served us all so well over the last few months.

This is not the time to be attacking doctors. This is not the time to be undermining our public health care system further by introducing more privatized health care, but they've continued on that track, Madam Chair. They've continued to pursue that with vigour and I think with the intent to hope that Albertans are too concerned with surviving day-to-day life and getting through to actually take notice. But that is our job as the Official Opposition, to make sure that notice is brought to these issues. I bring forward this amendment with the hope that the government can take this opportunity to demonstrate their commitment to the public health care system.

I would say, Madam Chair, that this is actually a litmus test. This is a point where the government can say: we are committed. How they choose to vote on this amendment, how they choose to simply

incorporate into the legislation that the establishment of private clinics should be assessed with the lens of whether or not it adversely impacts our public health care system, to look at whether or not there are benefits to the public health care system before establishing those clinics – that should be, quite honestly, a simple thing for this government to commit to if they're truly committed to our public health care system.

I invite a vigorous debate from government members to discuss perhaps why they do or don't support this amendment, but I do want to hear them speak on the record as to why they believe or do not believe that a commitment in our health care legislation to protect our public health care system and to make sure that we are not undermining it should or should not be in legislation. They've taken it out with Bill 30, and they have an opportunity to put that commitment back in, to give assurances to Albertans. I hope they'll take this opportunity to actually make that commitment right now and at least to speak to it. I look forward to that debate.

The Chair: I see the hon. Minister of Transportation.

Mr. McIver: Thank you, Madam Chair. I'll be brief here. I was entertained by what we just heard. Litmus test. I think the hon. member used the words "litmus test." You know what a big litmus test is around here? It's called a general election. The hon. member talked at one point about when Ralph Klein was the Premier and how the hon. member disliked private surgical suites so much and went out to the front steps and protested against them. I would say: good for the hon. member. She was exercising her rights, rights she had then and rights she still has now to go and peacefully protest. Those are rights. It's important that they did that. [interjections] They don't actually recognize my right to be heard. We listened to the nonsense from their member for a long time without any interruption, but the hon. Member for Calgary-McCall can't stand to hear something that he disagrees with.

Anyways, the litmus test was the general election, after which Ralph Klein won another big majority. There's a litmus test for you. The NDP was out of touch with ordinary Albertans back when Ralph Klein was the Premier. When the NDP was in government, they actually – here's what's funny, Madam Chair. The NDP is now complaining about publicly funded private surgical suites. Well, they operated dozens of them when they were in government. You see, this is typical NDP logic. If the NDP does it, they think it's great. If anybody else does it, they think it's terrible, and they don't see any inconsistency with that position. That's the beauty of being the NDP. You never have to be right, you never have to tell the truth, and you never have to apologize. It's a beautiful, beautiful, beautiful thing. On this side we're actually constrained by the truth, which is a disadvantage for us. But at times like this it's actually helpful.

Again, after the NDP did that, they ran the surgical suites, and I think it's good that they did. I'm glad they did that because that actually provided more service. But even then the wait times fell further behind because they didn't add any to them, and the NDP failed the last litmus test, a general election, and they got thrown out of office after only one term in office, the only time that's ever happened in the history of Alberta. Talk about a litmus test. Wow. They didn't even get a second chance. Albertans knew right away that that accidental government that happened in 2015 was one and done, and that was plenty for Albertans. So there was a litmus test.

Now our government is actually, interestingly enough, going to do more of what the NDP was already doing. While they thought, when they were doing it, that it was good, they think that if somebody else is doing it, it's bad.

Mr. Sabir: That's not what we think.

Mr. McIver: See? Again, Madam Chair, the hon. Member for Calgary-McCall can't stand – he's so angry. He's so angry because we pointed out that he got fired after one term. He got fired after one term. He got fired from the Children's Services part of his mandate because he botched that up in the last thing, and now he's angry because he got fired. Because he got fired. He just hasn't gotten over it a couple of years later.

He's actually angry because I'm pointing out the actual incredible hypocrisy of the NDP, that the publicly funded private surgical suites, part of the public health care system that they operated – they thought it was good when they did it, and now, when somebody else is doing it, they think it's bad. I'll tell you what the difference is, though. We're going to probably increase the number of surgical suites so that we can actually lower the waiting list for surgeries as opposed to what the NDP did, increasing the waiting list. You see the difference?

[Mr. Amery in the chair]

In fact, they're complaining about that. They're even complaining about it now, our government's intent to lower the amount of time that Albertans have to wait to get a surgery that they need. [interjections] See? The hon. Member for Calgary-McCall hates that because they had a chance to do this and they dropped the ball. They botched the job. They got fired after one term.

So I guess the short thing is that this is, actually, Alberta-style health care. This is publicly funded, a combination of public and private delivery, no different than what the NDP did. We're just going to try to do better than the NDP did because we need to. What we know . . . [interjections] See? They're all yelling now because they can't stand hearing the truth. It's hard on them. I understand. They're not constrained by the truth on the other side. Consequently, when they hear it, it's painful for them. I'll try to be brief because I know the truth is hurting their ears. It's hurting their minds because they don't want to accept it.

The fact is that, based on the litmus tests of the elections, the NDP were wrong when they complained about Ralph Klein bringing in this innovative way to lower wait times, and consequently they got thrown out and Ralph Klein got another majority government. They were wrong when they were in government for not improving the system to lower wait times, and they got thrown out then. They're still out of touch with Albertans, and they're still wrong today, in 2020.

5:20

You would think that with this opportunity for Alberta-style health care, which is part of the public health care system, they would actually be applauding this and supporting it instead of trying to create false narratives about the past and when they were in government and now. We're just here to set the record straight and, more importantly, to serve Albertans and work towards lowering the wait times, because that's what Albertans are really interested in.

The Acting Chair: Hon. members, we are on amendment A2. Are there any other members who wish to speak to this amendment? I see the hon. Member for Cardston-Siksika.

Mr. Schow: Thank you, Mr. Chair. There's nothing like a good, old-fashioned pile on. It's good to be here this evening, at this time of the morning, I guess you could say. I recognize the importance of this piece of legislation and also other pieces that I'm sure we'll be debating this evening, but I did want to address a couple of the things that the Member for Edmonton-Whitemud talked about

when it came to the chartered surgical facilities. [interjection] I'm sorry. I hear the Member for Edmonton-Whitemud saying something. I'm sure it's of significant consequence, but I will continue with my remarks because I do have the floor.

What I think is important to note here is that the member talked a lot about maintaining the integrity of Alberta's health care system, the public delivery of a quality health care system for patients, a patient-centred system. I actually wholeheartedly agree with that member. I think she's dead on there. But what I do think is important is recognizing how to deliver that. My concern under the previous government was that wait times were up, and we also saw people fleeing to other jurisdictions to seek surgeries, and that was a problem. When they talk about American-style health care and things like a two-tiered system, the reality is, Mr. Chair, that we actually have that already. It's called Montana, and the problem with Montana is that it does take money out of the pockets of Albertans who would otherwise try to get those surgeries right here in the province.

You know, the reality here is that the previous government actually allowed for these chartered surgical facilities – there is one in Lethbridge – and they are more efficient than surgeries taken care of in hospitals. They can turn over in five minutes as opposed to 45 minutes.

What I also think the real concern is here, though, is that these chartered surgical facilities are not unionized. They don't have unionized workers. They don't have unionized nurses in there. In fact, I learned, when I was touring one of these facilities, that a number of nurses actually take sick days or come out of retirement to work in these facilities because they're such a pleasant place to be. I mean, imagine that. Imagine just for a moment working in an environment that you actually like being in. That is not to say that nurses don't enjoy working in hospitals – I think they do a tremendous amount of work – but what I'm saying here is that there is such a good atmosphere in these chartered health facilities, where people are actually taking their sick days to go and work there. It's a great environment to be in, and that's important, because when we talk about things like work-life balance and we talk about health, mental health, you've got to enjoy where you work.

I couldn't imagine what it would be like to get up every day and hate going to the office. Now, I don't know about anyone else in this Chamber – I hate to speak for anybody – but I love this job. Certainly, I don't enjoy being away from my wife and kids. You know, I think all members in this Chamber would agree that being away from family is always a bit distressing and can weigh heavily on the soul at times, but I will say that in general I love this job. I love talking to my constituents. I believe that my business is politics, but my passion is people and the people that I work for. But imagine going to a place that you just don't like being at because it's a toxic environment. Maybe you're surrounded by colleagues who don't treat you with a lot of respect.

An Hon. Member: That's hard to imagine.

Mr. Schow: I know. I know what that's like. I suspect some of the members on this side know what it's like because all we do is get heckled all day. But in all seriousness, Mr. Chair, I didn't stand up here to actually cast aspersions, as I have in the past. I mean, I rarely do it, but I have. I've been guilty.

An Hon. Member: The occasional time.

Mr. Schow: On occasion. But health care is something I'm genuinely concerned about, and I'm concerned about wait times.

My constituency is home to some serious problems regarding opioids, and I was proud to join the Associate Minister of Mental

Health and Addictions on the weekend to announce expansion of detox beds in my constituency. I think it's a tremendous, you know, outpouring of support for southern Alberta. When I was elected, I told Albertans in southern Alberta one promise. I said that the south wouldn't be forgotten. I think that was the only promise that I knew that I could make and that I could keep. People kept telling me: "Oh, politicians. They'll promise you the world, and they'll underdeliver." I was always a guy who would underpromise and overdeliver. The one promise that I always made was that the south will not be forgotten. Underpromise, overdeliver: I think I said that, right? I don't know. We can check *Hansard* later.

The point, Mr. Chair, of this is that I am genuinely concerned about the health and safety of southern Albertans, and I believe that these chartered health facilities are a good idea. I remember the Member for Calgary-McCall saying, you know, that these are for-profits. Yes, they are for-profits. These are expensive to set up. This is a business investment that one person or a group of individuals can get into together, and they are providing a facility wherein publicly funded surgeries can be performed more efficiently, in many cases, and more per day. I've been to one. I've toured one. I think they're a magnificent facility, and I encourage members on the other side to check one out as well if you haven't because I really, genuinely believe that these are great. They're so great that they supported them, Mr. Chair.

The point is that expanding this was our idea. Because the members opposite didn't think about it, all of a sudden it's their job to come in here and suggest that we are trying to undermine our public health care system. I think that's discouraging, because while I want to have a robust debate on this conversation, I see amendments like this that effectively ask us to do what we're already doing. We take into consideration all the pros and cons, and we understand that health care in this province is complex. We want to ensure that Albertans get the top-notch health care that our physicians and nurses and respiratory therapists and everybody else under the sun provide for them. I mean, there's a lengthy list there, but I won't go into it.

The point here is that I will not be supporting this amendment, not because I don't think that the Member for Edmonton-Whitemud is not well intended but because I think that, you know, we already take these factors into consideration, and we are taking the health and safety of Albertans seriously. We're taking wait times seriously, something that I don't think was actually addressed under the previous government. When we were elected, on April 16, 2019, which for many of us may seem like a lifetime ago – a lot of good has happened since then, and a lot of unfortunate events have happened since then, like, for example, this COVID-19 pandemic.

I do know that we are not deterred, Mr. Chair. We will not be deterred by a pandemic from getting the job done that Albertans sent us here to do. You know, we look at . . . [interjection] Again, the Member for Calgary-McCall is heckling as though he has something of value to add to this conversation. I would encourage him to stand up when his time is here to actually speak on this – and I know he has – but the time is now mine to speak. By interrupting me when I am speaking, you're disrespecting the over 40,000 people of Cardston-Siksika, whom I represent, so show a little respect. [interjection] Again, the Member for Calgary-McCall continues to rant and rave over there under his breath, not saying anything loud enough for the ambient mics to hear because heaven forbid that he get picked up saying anything on the record.

I will say this, Mr. Chair. I will not be supporting this amendment. While I tried to be nice, I guess you could say, like I always say: if you want a friend, go and buy a goldfish.

Thank you.

5:30

The Acting Chair: Hon. members, once again, anybody else with any comments on amendment A2? I see the hon. Member for Edmonton-Highlands-Norwood.

Member Irwin: Thank you, Mr. Chair. It's an honour to rise again this morning. It was a few hours ago that I was able to speak to this same bill but in the context of speaking specifically on physician compensation, and one of the ways that I framed my previous comments was just around my concerns on the continued disrespect shown to physicians. I was actually wrapping up my comments when the time ended, but for those watching – and I also pointed out that there were people watching at that time. It was about 2 a.m.

Mr. McIver: I was one of them. There were three.

Member Irwin: There were multiple. In fact, I quoted a few folks who were watching at the time.

I had pointed to the fact that there was a pattern from this Health minister of continuing to attack and to undermine the credibility and professionalism of physicians in this province. What I'd like to do is come back to those comments a little bit, and I would like to also speak to the specific amendment. I want to just point out, as I said, that there were actually – this came about, just for the Member for Calgary-Hays' information, because one of the members opposite from Red Deer said that nobody was watching, and I had multiple people tweet saying that, in fact, they were watching at 2 a.m.

Someone else just mentioned – his name is Chad, and I want to give him a shout-out. He said:

You betcha we're watching and cheering you on. Enough is enough, this government does not have the interest of Albertans in mind . . . [Keep] burning the midnight oil.

And then he went on to talk about the experience that he had with the health care system. He was hit as a pedestrian at a crosswalk, and the trauma doctor who looked after him at the U of A ER was incredible. He said:

She balanced her 7 cases and a stroke victim all at the same time and knew that after her 37.75 hours were done in the unit she had another 8 hours of charting to do. She, along with the rest of AB docs are heroes. I stand with Alberta doctors, not [the Health minister].

Then he goes on to say:

Not only doctors, but clinicians, nurses, and paramedics.

He says to this government:

End this attack now.

Shout-out to Chad. I asked him if he's doing okay. He hasn't responded yet, but it is 5:30 in the morning, so he might have gone to bed.

Just as I was saying that, someone else, named Meghan, just said that she's watching as well. So there we go. Folks are watching, and the reason they're watching – because all of us, at least on this side of the House, have heard from countless constituents who care about our public health care system, who are proud of our public health care system, and who know that we are so fortunate to have a strong, publicly funded health care system in this province and in this country. It's why so many folks have reached out to us with their concerns, as they've seen multiple attempts by this government to dismantle our public health care system and to attack it at its very core.

Of course, here I'm going to be talking about our specific amendment focusing on putting the public back in public health care, but we can point to countless other examples to date that have very much shaken Albertans' confidence in this government. I know that a couple of my colleagues today – today, yesterday; what

is time, really? – have spoken about the fact that they've had constituents say that, you know, they admittedly voted for this government and regret it. I believe it was Edmonton-Whitemud who spoke about that earlier from a constituent who was very open and honest with her and said: I voted for this government, but I've seen specifically the attacks on health care in this case. And they regret it. I think we've all heard those stories, perhaps on other issues, not just health care. Education is one that I hear a lot about. Albertans are engaged, and Albertans are watching this debate even if it is at 2 a.m. or 5:30, as it is right now.

I'm really proud to support this amendment, and I think that even though, you know, some of the members opposite have seemingly dismissed this amendment, it compels us to question what's really important to us. We find ourselves – and I've said it multiple times, even today – in the midst of a pandemic at a time when we should be supporting our health care workers, including our doctors, and at a time when we should be investing in our public health care system, strengthening it. Yet, as I said earlier, there's been a pattern, whether it's tearing up the agreement – in my previous speech, and I won't recount the whole thing, I talked about some of the historical background that led up to now and the relationship with doctors and that doctors were even raising the alarms around fears of what would happen to health care in rural and remote parts of Alberta, around fears of what would happen to patient care even as early as October, November 2019.

Since then there's a steady increase in calls and concerns from doctors. I pointed to in March over 600 doctors penning a letter explaining their concerns and urging this government to reconsider their approach. And then, of course, most recently we've had many more doctors go beyond just urging this government to do differently but, actually, doctors leaving this province and doctors deciding that this isn't a place where they want to practise and to raise a family. I'm providing all this context to the folks in this Chamber to help them realize that we need to be strengthening our public health care system.

What this amendment will do is to make that clear in black and white. Specifically, we're talking about our concerns with this government's privatization agenda. That privatization agenda has reared its head in other examples in the health care system. A recent one would be the privatization of lab services, right? Again, we've had such success with our lab services, and for this government to move to further privatization in the midst of a pandemic is quite troubling.

We know that Bill 30, for those who don't have all the background, those who are watching, strips out legislative provisions that would prevent the creation of private, for-profit clinics. Of course, our concern would be that this will undermine our health care system. This legislation removes the provision that any insured surgical service under any proposed agreement with a private-sector operator would “not have an adverse impact on the publicly funded and publicly administered health [care] system in Alberta.” This legislation removes the requirement that a private surgical facility has “an expected public benefit.”

This is the crux of the amendment that we're putting forward. It's clear from the removal of that requirement, that a private surgical facility has to have “an expected public benefit,” that this legislation will, I would say by design, undermine our public health care system and move it towards further privatization. And if the members opposite disagree and say, “No, that's not what that means,” then why wouldn't you support this amendment?

Again – I talked about this earlier as well – we didn't see this in the UCP's platform, but what we did see was this Premier with his public health care guarantee. So I'm telling this Premier now that if

you're going to honour the coroplast or whatever that health care guarantee was written on, then this is a way to do so, by accepting our amendment. This amendment will require the minister to consider the impact of private surgical facilities on our public health care system because it requires specifically that a private surgical facility actually has that expected public benefit before it is approved.

5:40

And it will be a test. It will be a test to find out what exactly this government prioritizes – right? – and it's a test that must be passed in order to ensure that there is a public benefit. I started to talk about, you know, the fact that, okay, yes, obviously it's very clear that my colleagues and I are quite concerned about this creeping privatization and about what lies within Bill 30, but it's not just us raising those concerns. It's physicians. It's physicians like Dr. Christopher Ewing, an Edmonton pediatrician who says that he's done a thorough read of Bill 30 and that this is about "further privatization of the health-care system," something that he's been advocating against.

It's physicians like Dr. Kerri Johansson, a lung specialist at the University of Calgary who says that this bill seems to be the UCP's tool for privatizing health care services. She says, "What we as the medical and health-care community are concerned about is that this will compromise the care of patients in Alberta. Anytime you bring privatized services in, it places the emphasis on profit rather than patient care." She talks about the fact that this will lead to multiple tiers in the quality of care. Of course, we can point to other jurisdictions around the world where there has been an increase in privatization of the health care system where you see those multiple tiers. She says, "This is not a pathway that we as Canadians value or one that we want to go down."

Dr. Lorian Hardcastle, who was tuning in earlier, an assistant professor at the University of Calgary who specializes in health law and policy, says that this move towards privatization is quite concerning. Wait times, which I know some of the members opposite have been very much talking about as a benefit of this – well, she says, "Wait times in the public system can tend to get longer because, of course, there's a finite number of doctors and a finite number of hours that they have in a day." The finite number of doctors seems to be shrinking, right? It seems to be shrinking when we have doctors all across this province who are leaving: doctors from Lac La Biche, doctors from Westlock, from Pincher Creek. The list goes on. [interjection]

I look forward to the Member for Calgary-Hays jumping up again because I'm not able to hear him as I'm speaking.

She also goes on to state that her concern is that "patients with less complex medical needs will be seen quickly in private facilities. Whereas, others will end up waiting longer in the public system." Of course, as someone who has talked a lot about the importance of supporting the most vulnerable Albertans, I am very much worried about those who don't have access to resources. They can't access this sort of credit card medicine that the UCP seems to be promoting with this bill.

So it's not just us concerned about privatization. It's physicians. It's a number of organizations like Friends of Medicare and others who've raised concerns, pointing out, as has been talked about in this Chamber, the similarities to Klein's third way and some of what we saw in the '90s. I want to take a moment as well to read, actually – and I will share this with *Hansard* as well – an opinion piece that was written in the *Journal* just about two weeks ago by Drs. Hardcastle and Ogbogu. It's about their concern that Bill 30 is a gateway to not just privatization but also cronyism in the system.

One of the things that really struck me in this article when I read it was the following. They say:

Since the election, the Alberta government has pursued an agenda of privatizing and corporatizing health care, including the privatization of laboratories [services],

which I talked about earlier,

the conscription of fast-food restaurant employees into mask distribution, and facilitating Telus' health-sector growth through adopting its virtual care platform Babylon.

That's something that I haven't talked about at all yet, but that's another example – right? – of that creeping corporatization of our public health care system.

Bill 30 adds momentum ...

they go on to say,

... to this shift towards privatization by enabling the "government to contract with a range of organizations to operate medical clinics" and streamlining the approval process for private surgical facilities. The government's stated goal is to have 30 per cent of surgeries delivered in private facilities, which it claims will reduce wait times in the public system. In reality, without an influx of health professionals, these private facilities will likely skim off the least complex cases, thereby leaving those who are sicker to wait longer.

Again, that same concern: where do we expect this influx of health professionals to suddenly come from? Again, we talked about the example earlier. The Premier was saying: well, look, in other provinces like B.C. they have a sunshine list. Let's talk about British Columbia. For this Premier to make a comparison and just say "Well, B.C. is doing it," yeah, but guess what B.C. also is doing? They're supporting their doctors. They're supporting their health care professionals. They're not driving them away, right? If anything, they're welcoming physicians from our own province here in Alberta.

They go on to point out:

Because these less complex cases are cheaper to treat, private clinics may also drive up costs. In a past experiment with privatizing the delivery of orthopedic procedures in Alberta, it cost more to treat cases in the private system than in public facilities, despite the latter taking the more complex cases. Privatization initiatives have sometimes involved an infusion of public funds into the operational costs of private facilities that [might] have been more effectively spent in the public system,

like Saskatchewan. These are concerns – again, you can point to countless jurisdictions around the world where you see that, the concern, of course, being the diversion of funds away from the public system.

There are also concerns that quality of care may suffer when medical care is delivered in corporate-owned facilities due to incentives to cut corners to maximize shareholder profits.

We've seen that play out in examples of for-profit nursing homes. Again, who suffers the most from this? The patients, right? The ones that we should be supporting the most.

They end by just talking about what I flagged earlier, the fact that Bill 30 very much does set up Alberta to have even more two-tiered health care. We also know – it's a fair point for them to make – that we saw in the Fair Deal report that the Canada Health Act was criticized. We know that the Canada Health Act, among other things, helps to prevent patients from being able to pay to jump the queue.

They end – and I want to share these words. They say:

Before it is too late, Albertans need to ask themselves whether they want a health-care system in which the wealthy, who tend to be healthier, can buy faster access to care, or whether health-care services should be allocated on the basis of need rather than the ability to pay.

I want to come back now to the amendment because I think that it's a really strong way to segue into our point that there needs to be – there needs to be – that protection of the public health care system. What we're asking here, what we're asking for in this amendment is that there's clearly a public benefit. There's clearly a public benefit. By voting against this amendment – and I don't want to presuppose this House because as always, even on very little sleep, I can be idealistic and I can be hopeful that this government will consider this amendment. You know, as multiple members have said in this House, they do support public health care. Well, then show it. Show that you're willing to accept this amendment and that you're not voting simply in favour of more American-style health care and that you're not trying to destroy public health care as we know it.

I look forward to that vote, and I look forward to hopefully seeing that this government does in fact support a strong, publicly funded health care system. Thank you, Chair.

The Acting Chair: Thank you.

Are there any other members who wish to speak?

Mr. McIver: I'll be brief. I know that a couple more of my colleagues want to speak. I just would like to – the hon. member made reference to a bunch of letters and documents, and I'm sure the hon. member will table them at the next opportunity, as required.

5:50

Also interesting – just a couple of references. The hon. member talked about credit card health care. Well, actually, this bill is about publicly funded health care, so the member obviously hasn't read the bill, or they wouldn't be saying that. The other thing is several references to doctors being driven out. There are actually 300 more doctors now in Alberta than there were when we started in government, so while doctors have the freedom to come and go – and we're grateful that they're here, and we love our doctors – the fact is that the evidence doesn't support what the opposition is saying since there are 300 more doctors now than there were when we became government.

The Acting Chair: Thank you, Minister.

I see the hon. Member for Edmonton-South.

Mr. Dang: Thank you, Mr. Chair. It's a pleasure to rise today and speak to the amendment on Bill 30, the Health Statutes Amendment Act, 2020, here. It's a pleasure to rise because I think it's important when we look at this amendment and we listen to what's being said – I know members of my caucus that have been speaking tonight and this morning have spoken quite eloquently to the issue and have described in quite a bit of detail here some of the concerns that we have with the bill and how we think the provisions of this amendment will actually assist in ensuring we all are aligned in our goals.

I know the Member for Cardston-Siksika and the Minister of Transportation here have spoken at a bit of length tonight about how they believe they are speaking on publicly funded health care, and they believe they are speaking on issues such as publicly administered health care systems and ensuring that there is a public benefit, and those will be considerations they use as the health care system moves forward under the new American-style two-tier provisions being brought in in Bill 30. I think that's very interesting, Mr. Chair. I think it's very interesting that the Member for Cardston-Siksika says: well, these are considerations that we should be taking anyways; these are considerations that, of course, the

government will take because those are reasonable considerations, and that is the intent of the government.

So I have to basically ask the House, then: what is so offensive about the actual language being put in the bill? What is it about actually saying in the bill – because the bill right now explicitly removes the term “an expected public benefit.” This legislation removes the requirement that a chartered or private surgical facility has an expected public benefit. That's the actual requirement that is being removed and the judgment that the minister will no longer have to make.

If the Member for Cardston-Siksika and the Minister of Transportation actually believe that every facility that we open should have an expected public benefit, then why are we taking it out of the legislation, and why are they rejecting an amendment to put it back in the legislation? What is it about the term “public benefit” that is so offensive to these members? Is it that they don't actually believe in the publicly administered health care system? Is it that they don't actually believe the term that we're trying to insert back in, to not have an adverse impact on the publicly funded and publicly administered health care system in Alberta, should be put back in the legislation? Is it because there is a will, actually, in Bill 30 to Americanize the system, create this two-tier system, this credit card style health care where instead of actually having a publicly funded and publicly administered system, there are actual clinics that will not have an expected public benefit? That is the only reason not to put the words back into the bill, right?

Mr. Chair, we talked about a litmus test here already. We talked about the test that we're going to be having with this government. When this government signed, when they campaigned, this public health care guarantee and they talk about how these are all reasonable things that they'd want to do anyways and then they refuse to actually put the language in the bill – and, in fact, their legislation without this amendment takes that language out of the bill and takes that language out of the existing legislation – then it becomes really clear to Albertans that that isn't actually their goal. It isn't actually the goal of the government to have an expected public benefit every time they bring in a private surgical facility or a chartered surgical facility. Instead of that, it becomes clear that they're actually trying to bring in this two-tier, private, American-style system where Albertans will have to pay more and get less. That's simply the only answer that's reasonable.

When we actually talk about legislation – and of course we're amending, I believe, the protecting public health care act – when we talk about actually taking out the language that protects the health care portion, the public health care portion, then how can the government possibly justify this by kind of explaining away, “Well, we would be doing those things anyways”? If they would be doing those things anyways, Mr. Chair, then they would have no problem at all with putting that language in the legislation. This was nowhere in the UCP platform. It was nowhere when they campaigned during the election, and at no time during the campaign did the UCP mention anything about taking language around public health care and taking the assessment of whether there would be a public benefit to bring a chartered surgical facility into Alberta out of the assessment.

All this does is that it requires the minister to consider the impact of private surgical facilities on the health care system. I mean, let's be very clear. That's the bare minimum. When we talk about publicly administered and publicly funded health care, the bare minimum that we should have before we actually implement another surgical facility, whether it's private or public, is to assess whether it will have a public benefit. We shouldn't be paying for facilities that will help undermine public benefit or will detract from

the public. In that case, why is this government deciding to explicitly take out the language that protects the public system, that protects the public's ability to access health care, that protects the public benefit of health care? Why are they explicitly saying, "Well, we don't need to look at that language anymore; we don't need to consider whether the public would actually benefit when we create these facilities, when we can create these chartered and private facilities"?"

Mr. Chair, we're not denying that chartered facilities have existed in Alberta since at least Ralph Klein, and we're not denying that these facilities operate in Alberta. What we're saying is that when these facilities operate, they should at least, at the very minimum, be considered to be publicly beneficial, to improve the communities that they are going into, and to make the situation better for Albertans.

This government likes to talk the talk about how they're bringing this in to reduce wait times, that they're bringing this in to do all these great things in terms of improving health care. Then why are they not even considering allowing the phraseology to have this public benefit? A vote in favour of this amendment is a vote in favour of ensuring our publicly funded public health care system supports every single Albertan. A vote against this, which the Minister of Transportation and the Member for Cardston-Siksika have indicated they will do, is a vote against the public benefit of our health care system. That's actually the language. They're voting against language that says: public benefit, that these surgical facilities should have a public benefit. So they don't believe, it appears, Mr. Chair, that surgical facilities, whether they're chartered, private, or otherwise, should have a public benefit, that they should just exist and should be for-profit. That appears to be . . .

Mr. Schow: Point of order.

The Acting Chair: A point of order has been called.

Point of Order Imputing Motives

Mr. Schow: Yeah. I rise under 23(h), (i), and (j): "imputes false or unavowed motives to another Member." Now, when replying or speaking generally of the caucus, I know there's not a point of order, but that member in particular referred to the Minister of Transportation and myself in his remarks, so I would specifically ask him to retract those remarks and maybe get back to his debate and maybe just – I don't know – say, "I'm sorry."

Ms Sweet: Well, thank you, Mr. Chair. I appreciate the hon. member citing 23(j); however, he did not cite the language that he felt was . . . [interjection] Okay; (i). He did not actually indicate any language that he felt was inappropriate. The hon. Minister of Transportation and himself were named by the titles of their ridings and not by their names, so I'm not quite sure what the point of order is at this point because there was no indication of language that was misused.

The Acting Chair: Is there anything else that you wanted to add?

Mr. Schow: Yeah. The member referred to the Minister of Transportation and myself, saying that we do not want to have a public benefit for health care.

The Acting Chair: Hon. members, having heard the submissions, I would conclude that it is not a point of order. Having said that, to

the hon. member, please stick to the amendment in your further submissions.

Thank you.

Mr. Dang: Thank you, Mr. Chair. I will certainly take that under advisement.

Debate Continued

Mr. Dang: Of course, I'm speaking to the debate that has occurred already in this place. I think, certainly, when we look at the actions of this government, when we look at the actions of this Premier, this Minister of Health, how they are trying to chase Alberta doctors out of this province, we see jurisdictions such as Pincher Creek, we see jurisdictions all across this province with doctors fleeing. In a poll of almost half of all Alberta physicians saying that they are looking to leave this province after the pandemic, Mr. Chair, it becomes abundantly clear that we do need to have actual language in Bill 30 saying that we will not have an adverse impact on the publicly funded and publicly administered health care system in Alberta. That's, of course, language exactly coming from this amendment.

6:00

Mr. Chair, when we look at implementing new surgical facilities under these proposed agreements, when we look at the assessment and impacts that these surgical facilities will have, including things like quality of service, flexibility, and the efficient use of existing capacity, all of these considerations and the ability of them to undermine the public benefit, the ability of them to undermine the benefit of communities across this province must be considered before we approve any of these facilities – right? – before the Minister of Health approves any of these facilities.

I know the Minister of Health, Mr. Chair, has been attacking doctors in the past year. I mean, he's berating doctors in their homes, he's berating doctors over the phone after pulling their records, and his office is berating doctors and discrediting them over Twitter using private practitioner records.

Despite all of that, for what he decides to approve with these American two-tier systems, he should at the very bare minimum decide whether there's actually going to be a benefit for that community. At the very bare minimum he should look at these communities and say: "Do we need these privately operated American-style two-tiered systems? Do we need these systems in place?" I think that's a reasonable expectation. That's something that every single Albertan will expect of this government. That's something that every single Albertan will expect as we move forward, that when we approve these facilities under the framework that they will have public benefit, that they will have a community initiative that will actually assist in the delivery of services.

Mr. Chair, again, the government talks about, time and time again, how they want to do things like reduce wait times, how they want to do things like use these services to reduce wait times. Of course, I think if that were the case, they would be trying to implement for public benefit. But the government isn't willing to put that language into the legislation. They aren't willing to say that improving wait times is going to be for the public benefit. They aren't willing to actually use that phraseology and accept this amendment, that actually does an assessment of the impact of these surgical services.

Mr. Chair, I'm very concerned that when we're bringing in legislation that is already attacking doctors in a situation where almost half of all physicians in this province are already considering leaving the province – in fact, the Alberta Medical Association, the association that represents and negotiates on behalf of doctors in

this province, is currently voting on a vote of nonconfidence against this Health minister. I think that at the very least this Health minister and this government could say in this place that they believe that health care services, whether they are private or publicly operated, should have a public benefit, should actually benefit the people of Alberta, should actually improve the circumstance of people in Alberta.

Mr. Chair, it is shocking and disappointing that the government will not actually accept this terminology, that the government will not even consider that public benefit is something we should be looking at when we do things in this place. I think that every piece of legislation that we try to bring to this House, every single time we come to this place and debate, we should be considering: is what we are introducing providing a public benefit? Is what we are introducing improving the quality of services? Is it going to be an efficient use of resources? These are the things that we're considering under this amendment. These are the things that we're trying to get brought in to Bill 30.

And instead of doing that, and instead of actually accepting that, this government is explicitly rejecting this. They are explicitly voting against considering quality of service. They are explicitly voting against considering the flexibility of these facilities. They are explicitly voting against the efficient use of existing capacity in existing health care versus these private surgical facilities, these American-style surgical facilities. They're explicitly voting against whether we should have an expected public benefit, whether it will not have an adverse impact on the publicly funded and publicly administered health care system in Alberta.

So it becomes abundantly clear, Mr. Chair, that this government either does not want to have a public benefit, or they simply don't care, right? It becomes abundantly clear that if they vote against this amendment, they are voting against actually considering the public benefit. They're voting against having a public benefit as consideration.

Mr. Chair, I think that is against the core value, the principles of why we should be in this place, of why we should even be deliberating legislation in this place, of why we should even be introducing legislation in this place, because if nothing else, we are sent to this place to try and make Alberta a better place. We are sent to this place to make every single one of our 87 constituencies a better place. We are sent to this Legislature because we want to make our neighbourhoods, our families, our communities better communities. If we will not even consider in the legislation the use of the words "public benefit," if we will not even consider whether the quality of services is actually being improved, then there is a fundamental divide in terms of what this government is trying to introduce.

Instead of trying to introduce legislation that is going to be improving the quality of service for all Albertans, instead of trying to introduce legislation that is going to be improving the public benefit of our health care system, instead of trying to introduce legislation that is going to be flexible and an efficient use of health care dollars in the existing capacity, this government is actually going to be explicitly voting against every single one of those things.

I know the Minister of Transportation said that the litmus test was the election, but the government did not run on this. The government did not run on American-style health care. They did not run on taking the public benefit out of our health care system. They did not run on decreasing the efficiency of our health care system. They did not run on decreasing the quality of service in our health care system, and every single one of those things I just listed, Mr. Chair, is what they are explicitly voting against, sections (i), (ii),

and (iii) of this amendment. So if they vote against this amendment, that is actually what they are saying. They are saying that the quality of service, the flexibility, and the efficient use of existing capacity do not matter to the government, that they do not matter in terms of assessing health care facilities and, in this case, chartered and private surgical facilities, and that the public benefit is not going to be something that is important to them, Mr. Chair.

That was certainly not on the giant coroplast public health care guarantee that this Premier signed when he was campaigning, and it certainly was not anything that I heard from my constituents or across this province. We know that at this time almost half of all physicians in this province are currently looking to leave because of this government's attack on doctors, because of their war on doctors, because this minister is going around berating doctors in front of their home, berating doctors on the phone, attacking them on social media, Mr. Chair. We know that it is one of the most shocking attacks on physicians we have ever seen, in the middle of a global pandemic. Then as soon as we say, "Well, we should make sure that these physicians, whether they are operating privately or publicly, have the opportunity to be assessed to make sure that the service they provide is going to be a quality service, is going to be efficient, and is going to be a public benefit," this government also votes against that. They also stand in this place and say that they are going to vote against that.

[Mrs. Pitt in the chair]

It basically means that this government is bringing in this American-style, two-tier system that will not benefit Albertans. It looks like, Madam Chair – welcome back, Madam Chair – very clearly that this government is voting against legislation that is supposed to be something that they claim to agree with. The Member for Cardston-Siksika and the Minister of Transportation claim to actually agree with all these clauses, and then they vote against the individual clauses. It doesn't make any sense. It doesn't make any sense because the very language that we brought in, the very language that's being proposed here by my colleague from Edmonton-Whitemud on behalf of my colleague for Edmonton-City Centre, is something that we should be considering every time we bring legislation to this place. It's something that every minister should be considering in every single one of their ministries: whether we provide quality service, whether it's flexible, whether it's an efficient use of resources, and whether there will be a public benefit.

When we come to this place, we should be expected to consider all these things in terms of introducing legislation, whether it's amendments or bills, whatever it is, Madam Chair. We should be considering all these things. The members opposite have spoken to how they agree with that, and instead of actually voting for it, they vote against public benefit, they vote against quality of service, they vote against flexibility, and they vote against the efficient use of existing capacity. It seems like none of these things are important when they're introducing an American-style, two-tier, credit card style health care system, when they're introducing this American-style health care system where the rich have access and everybody else doesn't. It seems that none of the things such as quality of service or efficient use are going to matter for them.

It seems like, if they're going to be introducing these private chartered services, if they're going to be introducing these American-style services, it won't matter if they're providing a quality service, it won't matter if they're flexible for all Albertans, and it won't matter if they're actually being implemented efficiently because they're going to be voting against those exact words. It won't matter if the public will actually benefit from these services,

it won't matter if the communities that they're being put in will actually even need these services, it won't matter if the communities they're being put in will actually have a benefit from these services because they're voting against those exact things.

So when we see these chartered facilities and these private facilities and these American-style, two-tier facilities popping up in communities and the minister approving them, the minister will not even consider whether that service is going to be a quality service, the minister won't even consider whether that's going to be an efficient service, and the minister won't even consider whether the community needs that service, Madam Chair. That's what's actually shocking about this. It's absolutely shocking that this government would be so blinded by their ideology, that they would be so blinded by their risky ideology that they would vote against something so reasonable as saying: "Well, are we going to benefit? Are Albertans going to benefit? Are Albertans getting a good deal out of this legislation?" They are so guided by their risky ideology, their risky world view that they will not even consider simple language that says: we should think about whether we're doing the right thing.

6:10

That's the plain language of this, Madam Chair. The plain language is that we are asking the government to consider whether this is the right move before they move forward. It's not even a limitation on them making the actual approval. It's simply that the minister has to determine, in the minister's opinion, whether there's a public benefit. Instead of making that assessment, the minister is just going to be able to willy-nilly, arbitrarily make those decisions without considering the quality of service, without considering the flexibility, without considering the efficient use of existing capacity. That's the risky world view of this government. That's the risky ideology of this government. It's the American-style, two-tiered system of this government. They're implementing this very dangerous system that simply does not make any sense. It simply does not make sense.

The members opposite have already spoken to how they support these initiatives, they support these individual clauses, yet they stand in this place and they also say in the same breath that they are going to vote against these clauses. Madam Chair, it doesn't make any sense. It doesn't make any sense other than being blinded by ideology. It doesn't make sense other than completely ignoring the actual words in front of them. It doesn't make any sense because this government will not actually stop and look and realize that we need to consider what is best for Albertans, that we need to consider what is best for Alberta communities, what is best for every single one of our constituents in every of our 87 constituencies.

I think that's disappointing. I think it's something that Albertans are very disappointed about. I think certainly we've seen that physicians are disappointed, and physicians are, frankly, in a state of disarray. They're currently voting on a vote of nonconfidence against this Health minister. We see perhaps the most hostile Health minister in all of the country against our physicians and our health care system in the middle of a global pandemic, Madam Chair. That's something that's incredibly disappointing and incredibly shocking. I think, personally, that the Health minister should be resigning at this point because clearly he does not have the confidence of physicians in this province. He clearly does not have the confidence of health care workers in this province. He clearly does not have the confidence of Albertans in this province.

It's disappointing because when we're looking at a person who is going to be making decisions arbitrarily – because it looks like the government's going to be rejecting this amendment – on what facilities should be created and what surgical facilities should be created without considering quality, without considering efficiency,

without considering public benefit, it is very clear that this minister has no trust from Albertans to make those decisions. It's very clear that without this language the minister will not be considering any of those issues, and it's very clear that Albertans don't trust the minister to make that judgment call, that that judgment call that the minister is supposed to make on public benefit and quality of service and flexibility and efficient use of existing capacity, the decisions that the minister is supposed to make instead are going to be arbitrarily made without the confidence of physicians, without the confidence of health care workers, without the confidence of Albertans. It's something that's going to be very dangerous and risky for Albertans. It's going to be ideological, and it's going to be a two-tiered system. It's going to be an American-style system.

Ms Glasgo: You know, Madam Chair, I am just so pleased to stand up before the Member for Lac Ste. Anne-Parkland to speak to the amendment here tonight. I know that it is – I was going to say late, but it's actually quite early. I would say that at this bright, chipper hour of 6:14, perhaps – is that what it looks like? – I am here and ready to speak to the amendment.

You know, I have to say that I have been sitting here since about 3:30 this morning, and we have been hearing about a lot of different things. What is coming up over and over again is – I'm getting pretty good with the NDP talking points, Madam Chair. I hear: something, something, "American-style," something, something, "privatize," something, something, "big, bad UCP government." Like, I'm pretty much sure I could go sit over there and do their job better than they could, considering that they can't come up with a new talking point any time they get up.

But, anyway, I digress. I see . . .

An Hon. Member: Go sit over there.

Ms Glasgo: I'm not going to go sit over there. I am pretty happy right here in my third-row spot, great view. I love where I am, and I'm happy where I am, and that's where the constituents of Brooks-Medicine Hat put me, so this is where I will stay.

You know, I just want to start off that I've heard a lot of things about Bill 30. I believe this is about the third time I've spoken either on 29(2)(a) or in Committee of the Whole. Something that has really blown my mind is how often we hear: this was not a campaign commitment. Madam Chair, I know our platform was long, robust, well costed, some would even say impressive. Actually, a majority of Albertans said it was impressive, but, anyway, like I said, I digress. But on page 51 of the platform I'd like to refer you to the Saskatchewan surgical initiative, which is expressly referred to. Now that we've gotten that out of the way, good thing for that.

We've heard a lot of things. I actually heard one of the members assert that Albertans would pay more and get less. I remember this thing called the carbon tax, where Albertans paid more and all they got was somebody from Ontario coming and screwing in their shower head and light bulb, that they could totally do themselves, but they paid more for it. So I'm wondering who's paying more and getting less. I think it was Albertans for the last four years, but I don't know. I guess I'll be listening to my constituents in Brooks-Medicine Hat, who've said that exact thing for the last four years.

You know, they talk about these amendments and the whole premise of them, getting up and filibustering, which is their right to do as opposition. I applaud them for actually wanting to come to work today. But they have said that they are concerned about the protection of the public health care system, Madam Chair. Well, were they concerned about the protection of the public health care system for the last four years, when they also funded private

surgical beds to increase surgical capacity? It kind of sounds like double-speak. I know there was one time with the former Minister of Health. We were talking about this, and we were kind of having a little bit of a banter in the House because that's usually what we do in here is banter and talk ideas. She had mentioned, you know, just how appalled she was at this, but it was actually her decision. This has been around for quite some time, so it's just kind of interesting how, you know, once you're in opposition, you just have to oppose it for the sake of it. I don't know. I don't really think that's good policy, but whatever.

I've heard a lot of mention about rural doctors as well. You know, I take personal responsibility when we're talking about rural doctors. I feel that there are a lot of us in here who did a lot of work with the Health minister and with our own constituents, with rural municipalities, with constituents, and everybody in between about our rural doctors. We know, being in rural Alberta and being representatives of rural Albertans, just how difficult it is to find physicians to work in rural Alberta and that there is a lot of investment put into physicians coming to rural Alberta and just how nurtured and important they are to our communities. That's actually why – and the Minister actually said this. I know it's inconvenient for the opposition to actually listen to the minister's announcements, but he did say that he was adding an extra, I believe it was, \$84 million in packages to the rural physician program, which included having a comprehensive recruitment strategy to get young Albertans who are studying medicine to stay in rural Alberta. If that's not action, I don't know what is. When we're talking walk the talk, well, that's quite literally what we're doing, Madam Chair.

You know, I just also wanted to talk about this whole credit card health care, American-style, mumbo-jumbo talking point, talking point, rustling papers situation we have going on the opposite side. What has really been amazing to me is that not once have they acknowledged that they are the least co-operative opposition in Canada during a global pandemic. Not once have they acknowledged that in every other jurisdiction in Canada oppositions and governments are working together to make people's lives better, to make people's lives livable during this very uncertain time. Our government has put forward thoughtful policy. We have consulted with Albertans. Under the superb guidance of the chief medical officer of health, Dr. Deena Hinshaw, we created a program and a policy framework that actually saw Alberta having the highest testing numbers per capita. Like, that's impressive, and instead of cheering for Alberta's success, the opposition just stand here at 6 o'clock in the morning and cheer for Alberta to fail. It's pathetic, Madam Chair.

What really amazes me as well, Madam Chair, is that, you know, when I talk to seniors in my constituency, when I talk to people who are on the receiving end of rural health care, when I talk to people who are concerned about these issues, all they can say is: you know, I heard on Facebook or I heard on Twitter that you guys are imposing credit card medicine and I'll have to swipe my credit card before I get seen. I said: well, that's demonstrably false; that is absolutely not true.

You know, the only people who are creating fear in Albertans during a pandemic is the NDP. They insist on spreading misinformation, on going on Twitter instead of actually going and knocking doors or going and talking to their constituents. I don't know how many of them have their offices open, but go talk to your constituents. Come out to my neck of the woods and talk to my constituents about how it was for the last four years under that government, and then tell me who's scaring Albertans – who's scaring Albertans – Madam Chair.

I'll finish with this because I know that the Member for Lac Ste. Anne-Parkland is chomping at the bit, and he really has something to say. I always love listening to him because he has this presence that just commands my attention.

6:20

I do have to say, Madam Chair, that I would really encourage the opposition to take this moment as maybe a come-to-Jesus moment. Maybe they can just see the light. Maybe this moment, maybe this time – you know, now it's 6:20 in the morning – maybe they'll find this time to see that we do have the best interests of Albertans in mind. Regardless of what side of the Chamber we sit on, at the end of the day we all came here because we wanted to make Alberta a better place. The difference between this side of the House and that side of the House is that just because we disagree, we don't think that they're bad people. All they do is start these personal attacks and fear and division on Twitter. They live their lives in this vortex where everything that they say is sacrosanct instead of actually listening to Albertans who disagree with them.

I know that on the way up here, Madam Chair, I actually had multiple conversations about different bills and different decisions that I've made in this House with constituents, and I'm not going to lie; in half of the conversations I had today, people didn't agree with me. But we had a measured and decent discussion about the issues that matter to them. At the end of the day, that measured discussion will help to inform my views and will help inform me to speak in the House today, and I'm speaking about it right now.

Madam Chair, I'll resign my time, and I'll just end by saying that this amendment is redundant because this is already the intent of the legislation. I would just implore the opposition to really think about the decisions that they're making this morning and try to work with the government because, at the end of the day, all we want is for Albertans to have better access. All we want is to reduce wait times, and this is a way to do it. Instead of fearmongering and scaring seniors and telling people that they're going to have to swipe their credit card before they go to the doctor's office, which they know is false, they could read the legislation in front of them and do their jobs.

Thank you, Madam Chair.

The Chair: The hon. Member for Lac Ste. Anne-Parkland.

Mr. Getson: The sixth time's the charm, Madam Chair. You know, I punched in the clock here this morning at 3. I went home after the late shift and got about three or four hours' sleep on the way home and punched back in at 3. Then just about 15 minutes ago – well, honestly, I kept hearing the same dang thing. There were points being articulated by one of the members opposite; it was the same amendment when I got here. I felt like I'd bonked my head on the way out of the shower or something, and it was déjà vu all over again. But, you know, to what the Member for Brooks-Medicine Hat had said, literally it's the same rhetoric. We start talking about the American style, the American way. I mean, holy crow. They've got to get over this.

Now, the sad fact is that a lot of our Albertan citizens, inclusive of the doctors, go to America to get medical treatment. There's the irony of it. I have a constituent; his name is Jim Chorney, a heck of a nice guy. He's worked hard his whole life to take care of his family. He's a widower now, so he's helping out with his grandkids and those types of things. Worked hard; he's in a good position. Now he's got a problem with his back. Well, he goes to our system, and he can't get in. What they said, Madam Chair, was, you know: Mr. Chorney, why don't you come back when it's really bad? Now, my friend Jim here is a big guy. He played football and those types

of things, so he has a good stature. He's pushing his 70s now, and he still maintains his fitness and health and wants to be active, does those types of things. Well, he's walking along, and he's with his granddaughter. All of a sudden his leg gives out, and he's tumbling down. And he's in the mall. He's doing something else, and his leg's giving out. The reason is because of his back. So he goes in. He sees the doctors, and they're saying: "Come back when you're really bad." He predicates. He goes: "Well, what's really bad?" "Well, how about when you need a walker?"

This is under the former government's health care system, of which, you know, 15 per cent still were private clinics, et cetera. But now when Jim starts researching this, he finds out there are a couple of clinics down in the States. He can literally go there after he has the MRI done and shoots down the information, go down there to a clinic, sit across the street in a nice little hotel. He takes his son with him, and within three days – what do you know? – he's fixed up. He's back here on short-term for the next six months, not lifting too much. That was two years ago, Madam Chair. Jim is fantastic now.

He would not have been in our system because of that. We have got doctors that fly down to Colorado to get surgical suites, and you've got patients from Alberta sitting there with them at the same time because we can't get people into the system. People are flying to Mexico – Mexico – to have surgeries done. These are the actual things – and I'm going to use something other than the word "actually" actually every 10 seconds to actually talk about something. I'll maybe crack open my thesaurus and pick out a different word here I can use. But part of it is that this is taking place, and you can't put your blinders on for it, Madam Chair. These are facts. You get fixated on all this other stuff and scaring people about it.

Here's a really goofy thing. We've had private-type models throughout our history. In fact – in fact – I was at the Sauder School of Business taking a dental practitioner management course from business, that business school out there in the University of British Columbia, and what they had was a business case model that was a Harvard Business School model. It was actually the Shouldice clinic. This is a clinic that's down in Ontario. It got grandfathered in through the medicare system and has been very successfully run for a number of years. Now, not to get fixated on one model or the other, whether it's private or not, what it came down to is how they actually practised their business, how they looked at how they made the efficiencies in there. This is literally an example that the medical community looks at of how to look at efficiencies. This is something that we should be proud of, that as Canadians we have these alternate models. When the shoe fits, you put it in that spot.

Talking about rural Alberta: holy cow, we've got some fantastic doctors out there. We're doing lots of efforts. The Minister of Health actually has the intestinal fortitude to actually take on some of these challenges rather than shying away from it, cow tailing and doing whatever the other folks have been doing for years, addressing the issues, looking at it in a manner.

We campaigned on this. Like, I know it was a pretty lengthy document and the opposition had – I don't know – three or four pages of what they campaigned on, which was predominantly anti-UCP and our Premier was a bad guy, but we actually had a whole pile of information there, and this was one of the tabs. I remember having to speak to it. As the new guy it kind of stood out in my mind. I had to go and look at the medical community and had to understand what was happening in Saskatchewan and had to look at our own private models of how we did it.

Now, the Member for Calgary-McCall – it was interesting because just a couple of amendments that they had proposed before were relating how the clinical practitioners in their own clinics had

to cover overheads. He was talking about the receptionist, he was talking about invoices and receipts, he was talking about the phone, the e-mails. He was talking about the people that process the invoicing. And you know what? They were actually making a profit. So out of that side of the mouth he was talking where we couldn't look and see what their actual values were in running their clinic because they had to produce profit, and then – what do you know? – an amendment later flip-flops, and all of a sudden everything's supposed to be not for profit or at a loss. I know lawyers aren't, you know, profit motivated at all, and I'm sure that they all just go in the hole in prior lives and everything else. I'm sure that model might have relegated with him.

But doctors are allowed to make a profit, and – you know what? – they make profits in the public system. I happen to know this personally. My father-in-law is a retired physician – he's the guy that sold the practice up in Lac La Biche to those South African doctors up there – so I get a little bit of intel on that side. You know, one of the other things, too, is that once you start networking and doing these things – a friend of mine is an emergency room physician, and he's telling me about the health care system.

Now, the interesting part about this is that my understanding when I was campaigning on this and talking about efficiencies, when I'm sitting down and I'm talking to people, getting their input – because I go to the experts, the boots-on-the-ground folks that without, you know, union mantras and everything else actually, actually, actually want to tell you what's happening there. Some of them do it on the record. Most do it off. That's, unfortunately, the system that we've made right now. Anyone who stands up and speaks out: well, they get hammered down like a nail if they're not following along with the mantra, Madam Chair. We've seen that lots. We've seen that lots, so when you get outside of those bounds, you get some pretty good information.

Here's a friend telling me an example. He's saying: "Well, what would you do with the medical system? You know, MLA elect, what would you do with the medical system to fix it?" What I start talking about are these lessons learned and these interesting things that I've heard from my wife's family. You know, she's a dentist. Her cousins are doctors or nurses or pharmacists. They're all on that side of the business. It's interesting; you either have that side or they're farmers. You either have the medical side or farmers. It's interesting that when they come from that farming background, they look at the medical industry a little bit differently. They look at it with efficiencies, not with a socialist set of eyes. They look at it with efficiencies and how to make things run better.

And what do you know? The friend that I made on a gun range, coincidentally, which are things the other members don't understand either – at the gun range I met this gentleman, and he's telling me about that system. I said: you know, the way I would look at it, doc, I would look at it for efficiencies, no different from when we do a process-flow diagram in a gas plant or anything else. Again, the members opposite have maybe worked in that industry, but from what I've heard so far, no, they've only read about it in some little mantra book like the Leap Manifesto.

What I'm saying is that you look for the efficiencies in the system. You don't necessarily have to replace people, get rid of them, or anything else. You look at the process, and then you debottleneck it. You make it more efficient, and – what do you know? – your throughputs go up. I've seen this in a number of corporations, where people are fearful for their jobs, or they're gaming the system, or they're looking at all of these different things because they think that if they work efficiently, then they'll be out of a job. It's counterintuitive to that socialist mindset, but actually, Madam Chair, when you work more efficiently, your throughputs

go up higher, you increase your productivity, and you hire more people. That's what happens.

6:30

The doc said to me: "You know what? You haven't mentioned cuts one single time in this." I said, "No, I haven't." He goes: "You know what? You're absolutely right. Here's where I'm going to tell you some of the interesting things that are taking place in our system. I've got a piece of medical equipment here that I don't have the money to pay the technician for in my budgets." This is under the old government, so this isn't like it's brand new stuff. It's been around forever. "I've got equipment there that I can't use because I don't have the budget for the technician at \$30 an hour or \$40 an hour to run it. But, by some happenstance miracle, there's enough money to take my patient, transfer them from one side of the city over to another, have that bus sit there with the paramedics with them for about four or five hours while another hospital does this, and then transfer them back at the end of the day. So I can spend thousands of dollars, but I can't spend hundreds of dollars."

This is what's endemic in the system. When we're looking at allowing Albertans the Albertan model, as the minister had said, not the American model, let's be darn proud of what we're coming up with, you guys. You don't have to keep looking in the rear-view mirror and driving forward, slamming headlong or running over the cliff, the old Thelma-and-Louise routine that you've got going over there on the other side. Why don't we pay attention to the road ahead of us, be forward looking, look at the signals and signs coming up, and be proud of what you've built on? You don't have to tear it all down or be opposed to every single thing for change.

We have waiting lists. We have docs that can actually, actually, actually run private clinics and be out there and do these things.

Ms Sweet: Point of order.

The Chair: The hon. Member for Edmonton-Manning. A point of order.

Point of Order Insulting Language

Ms Sweet: Madam Chair, I've been patient with the hon. member across the way and his need to repeatedly, passively make comments around how one of my colleagues speaks in this Chamber with the word "actually." He has repeatedly done it, more than once, where he has mimicked the way that he speaks. So I would say that under section (j), if he could just refrain from making fun and/or trying to mimic one of our colleagues within this Chamber, it would be most appreciated.

Mr. Schow: Well, Madam Chair, I do not find this a point of order in any way, shape, or form. The member was actually giving some pretty thoughtful remarks to the debate, and I believe that it was you and other members who have sat in that chair before that have also granted a significant amount of latitude during Committee of the Whole. I think it's completely absurd that the Opposition House Leader would rise and try to insinuate that the hon. Member for Lac Ste. Anne-Parkland is making fun of another member. I think we're all professionals in this Chamber, and to try to conjure up some kind of an accusation of that nature is quite unfortunate, but it sounds like it's par for the course for members opposite these days. No point of order, I find, here.

The Chair: Hon. members, unfortunately, I myself did not catch what was potentially being said; however, I will be paying closer attention for that to not be happening.

I will ask the hon. member to please proceed with his comments.

Mr. Getson: Yes. Thank you, Madam Chair. By no means did I actually mean to offend anyone by saying the word "actually." I'll carry on and try to use different word usage. I appreciate the member opposite bringing it to my attention.

Debate Continued

Mr. Getson: With the health care system itself, although my train of thought was a little bit interrupted, I do have some notes that I wrote down myself that weren't speaking notes from some other page. When we're looking at these systems, you have to build on what you have. Now, the ability to have these docs still bill our system: in actuality, what happens with our health care system is that we're kind of the insurance company. The docs are all private corporations regardless of where they work. They have a cost code structure from which they bill, so similar to a time and materials job, if you would, except this is an open-ended contract with no termination clause. It's ongoing because, of course, everyone is going to live and die, a cradle-to-grave-type idea, and we have that health care system.

When that doc is working in a facility that has a higher overhead, as the Member for Calgary-McCall pointed out, the difference between a clinic and a hospital, you have all these other overheads that are being tacked onto it. When you're trying to jam folks into these suites where they can't get access, that's why they're going to the States. That's why they're going to these different places. That's why, when you look at some of the surgeries, the day surgeries, that are lower on the complexity levels, they can be performed outside of that structure without all of those extra tack-ons and those burdens.

Now, I appreciate that the amendment was brought forward, but it's redundant. The things that the minister has put forward address these issues, from my understanding in reading through the legislation. Again, I'm not a lawyer, by any means. I just have contract experience running multibillion-dollar projects, so I am kind of picking up on some of the wordage here, and it doesn't seem to me, appear to me that this is required. Again, it comes down to what the intent is. The intent is to allow for flexibility to build the Alberta model that we campaigned on and made those promises to folks to make sure that the dollars and cents are spent properly.

Now, wouldn't it be an amazing thing – and I gave an example of this, old Bob Barker on Plinko, that old game. I'm not sure if anyone remembers it. Let's just pretend we've got a hundred-dollar bill, and that's that coin. I know the member opposite is getting a kick out of this because we're about the same age bracket. We all remember watching *Wheel of Fortune* and Bob Barker and spinning the wheel and all that. The good old ...

Ms Glasgo: It's *The Price is Right*.

Mr. Getson: It's *The Price is Right*. Absolutely. It was the other guy spinning that wheel. I was just mentioning that we remember the same game shows. I'm glad that the Member for Brooks-Medicine Hat watched that, too.

So what happens, for the folks at home that don't remember, is that good old Bob takes a Plinko chip and drops it, and it hits a bunch of pegs, and then you're kind of randomly guessing where it might fall. That's kind of what's happening with our dollars and cents when it goes into that health care model. Except let's pretend that every time it hits one of those pegs, it's shedding off another 10 bucks, so by the time it gets to the bottom, the taxpayers are throwing in a hundred dollars and they're getting five bucks' worth of service because it's been chewed up by all the inefficiencies in the system.

But now we've got a chance here to move forward, folks. We've got a chance to take out some of those items that could be pushed over into a more streamlined system, where you don't necessarily have to bounce off all those other things. What happens? Wait times go down. Satisfaction goes up. Maybe we can keep our doctors here, and maybe we can keep our patients here, our good, hard-working Albertans that are going and spending their own dollars down in Mexico or the United States because they can't access the public system because it's so chock full or those poor folks that don't have the options, and they're sitting there watching their health degrade and their hips crater on them and their knees having issues and all the complex things that take place. This is what we're trying to do.

It's disingenuous during a time of pandemic, when there's a heightened sensitivity towards everything that's taking place, to keep jumping up and down and falsely putting that narrative out there, that we're out to destroy public health care, that we're out there to go after Albertans and we're disassembling and dismantling anything. In fact, what's taking place, folks? The folks on this side get it, on the UCP caucus side. We're trying to fix some things that have been a problem, having the intestinal fortitude to do it going forward, to make sure we're doing the right things, and to do it in the interest of Albertans and for those folks out there that have been waiting on those darn lists forever. We're keeping our promises to you. We're working on the problem, looking at the root cause. We're going to fix this, and that's why we're here.

God bless us all at a quarter to 7 in the morning. No place I'd rather be. A big cup of freedom and democracy taking place right here in this Legislative Assembly to make sure we're fixing the problems that we promised we'd fix despite what the lens of socialism may provide. The words of wisdom I'll leave this with because I don't want to mention any other words – I'll give you some words of wisdom. It always carries me through. Maybe some other folks will remember these. It was Foghorn Leghorn. When the member opposite gets up again, all I can keep thinking of is this whole thing in the back of my head; it's kind of a *Looney Tunes* thing: "This boy's more mixed up than a feather in a whirlwind."

I'll leave it at that, Madam Chair.

The Chair: The hon. Member for Calgary-McCall on amendment A2.

Mr. Sabir: Thank you, Madam Chair. It's an important amendment, and the context to this amendment is that prior to this piece of legislation there was a provision in the existing legislation that required the minister to consider the impact of private delivery on the public system. Simply put, this amendment is asking the government to reaffirm their commitment to public health care. For the last little while, instead of saying a word about public health care, instead of committing to public health care, we heard stories about people going to the States for surgeries and procedures. I think, certainly, there is room for our health care system to be improved. We made a number of changes. We made investments in it, but certainly there is more work that's needed to be done.

6:40

What we are arguing here is that the government has chosen an approach that we disagree with, that doctors disagree with, that health care professionals disagree with, and there is a lot of evidence – there are studies out there – that that approach has not worked before. So instead of strengthening the public system, instead of adding capacity in the public system, the government is saying that the changes they're bringing forward will somehow fix

everything, will improve wait times, will improve procedures and all that, without even sharing a shred of evidence.

Just to briefly outline what the government is doing with this piece of legislation, earlier we heard from the Minister of Transportation and other colleagues as well that the changes they're bringing are the same as what was going on when we were in government. I think we can tell when we were in government what we were doing, and we are in a better position to say that we were absolutely committed to publicly funded, publicly delivered health care. This piece of legislation is putting that privatization of health procedures, the health system on steroids.

Prior to these changes only doctors were able to bill Alberta Health Services, the government. Now private, for-profit entities will be able to bill Alberta Health Services. Somewhere in their assumption is that those private entities, while delivering these services, will be more efficient than the public system, and they will make a profit out of that without compromising patient care. We have heard these arguments before, the privatization of everything in this province. Whether that's privatization of utilities, whether that's privatization of social services, every time we hear this same failed argument. But in practice that never happens. I think it just shows the government's lack of confidence in the public system and their bias towards a private system, where they think that the private system somehow will make a profit and still deliver things more efficiently without compromising quality of care.

Other changes that are contained in this piece of legislation will also have implications for the public delivery of health care in our province. For instance, they're changing the structure of the College of Physicians & Surgeons and other health professionals. We already have 25 per cent representation of the public on these bodies, and now this government is making it 50 per cent without providing any rationale on how it will improve the quality of care, how it will strengthen our health system.

We also know the record of their appointments, whether it's an appointment to the Health Advocate office, whether it's their appointment of Leighton Grey to the Provincial Court Nominating Committee. There are a number of appointments. Clearly, what we are seeing here is that the government is paving the way to stack these professional bodies with their insiders so that they can drive their agenda, and that will, again, compromise the quality of care.

Then earlier they were talking about transparency. They talked about how physician disclosure will improve transparency and all that, but here they're reducing it by making the Health Quality Council only report to the minister. They're making it less transparent.

When we look at all these changes, we clearly see the government's agenda towards the privatization of health care, and we are scared. We believe that health care should be available to Albertans as a right. It should never be a for-profit enterprise, where corporations are making profits on Albertans' health. This amendment is simply seeking from the government that assurance that they remain committed to public health care and that they will not just promote a private, two-tier system over our public health care system.

So I hope that all of my colleagues will consider supporting this amendment. Thank you, Madam Chair.

The Chair: Any other members wishing to speak to amendment A2?

Seeing none, I will call the question.

[The voice vote indicated that the motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 6:48 a.m.]

[Fifteen minutes having elapsed, the committee divided]

[Mrs. Pitt in the chair]

For the motion:

Carson	Goehring	Renaud
Dang	Gray	Shepherd
Eggen		

Against the motion:

Amery	Lovely	Rowswell
Armstrong-Homeniuk	Luan	Sawhney
Barnes	Madu	Schow
Dreeschen	McIver	Schulz
Fir	Neudorf	Sigurdson, R.J.
Getson	Orr	Smith
Glasgo	Rehn	Walker
Horner	Reid	Wilson
Jones		

Totals:	For – 7	Against – 25
---------	---------	--------------

[Motion on amendment A2 lost]

The Chair: We are back on the main bill in Committee of the Whole. The hon. Member for Edmonton-City Centre.

Mr. Shepherd: Thank you, Madam Chair. Good morning to yourself and through you to all the members of the Assembly. It is absolutely a pleasure to be here today to debate on Bill 30, the Health Statutes Amendment Act, 2020. Now, of course, this bill has a number of different and very problematic amendments in it. As I said previously in a member's statement when Bill 30 had just been introduced in this House, health care as we know it in Alberta will not be the same in a year's time because of the impacts of this bill. The health care that people enjoy today stands to be seriously degraded, access similarly so. The quality of care that people are able to access, that they will have available in their community is going to be seriously undermined.

One of the most concerning aspects – and we have seen this with this government on so many fronts, that not only do we face the very real damage of the policy decisions they are making and the legislation they are passing, at the same time they are actively undermining the public institutions that are set up to monitor those very things for Albertans. We've seen that with the AER, we've seen that with many other public bodies, and now we are about to see that with one of Alberta's best assets when it comes to health care, the Health Quality Council of Alberta.

Bill 30 is set up to actively and utterly undermine the independence of the Health Quality Council of Alberta, an independent body set up to monitor the quality, the efficacy of the health care system in Alberta, our public health care system, Madam Chair, a body which for years has provided clear and useful reporting not only for use by government. Certainly, successive governments have chosen whether or not they would take the advice of the Health Quality Council. Certainly, this government has chosen to ignore it in large part, particularly in the area of laboratory services.

The value of the Health Quality Council of Alberta was not just in what it provided to government but what it provided to our province as a whole because the Health Quality Council of Alberta is not there simply to serve as a creature of government. It is there to provide clear and unbiased information about our health care system, about its quality, its efficacy, how well it is indeed serving

the people of Alberta, the very real concerns that we have that may be coming up and to help us ensure that we are protecting the quality and accessibility of it going into the future. It is used by health care workers across the province. It is used by academic experts who provide oversight, who do research, who help to drive innovation in the province of Alberta.

This government is actively, through Bill 30, undermining their independence, making them a pet creature of government, putting them under the thumb of the Minister of Health and thus utterly undermining their ability and their credibility and, if this bill should pass, will cast a shadow over the work that they do and put any data, any work, any recommendations that come out under question. Now, the Minister of Health says that he's doing this simply because, well, he wants to bring things in line with other provinces. Well, Madam Chair, that is a convenient excuse for this government when they want to degrade things in this province. How long have we had to listen to this Premier stand and talk about Alberta exceptionalism on so many fronts?

Indeed, we should recognize when Alberta is a leader – and we are in many aspects – when we have innovations which the rest of the country should be following. This is one such case. There is no reason why we would want to take this Health Quality Council of Alberta, this shining jewel of health data and analysis, and reduce its ability to work, reduce its independence, reduce it to what other provinces have unless this government fears what the council might say or recommend or how it might review the actions this government is taking, because indeed this is a government, Madam Chair, that fears what they cannot control. They've used every legislative means at their disposal to try to reduce the voice of Albertans, to reduce the voice of independent bodies, to reduce transparency, to escape scrutiny.

7:10

We know that the transformation of our health care system, which they are undertaking at lightning speed in the middle of a global pandemic, is going to have real and sizable impacts on our public health care system in Alberta, the same public health care system which let us lead Canada in terms of our response to COVID-19. Let's be clear, Madam Chair. That is not something for which this government can take credit itself; that is because of the health care system that we have invested in and whose capacity we work to build.

What we see this government wanting to do with that health care system and indeed with the Health Quality Council of Alberta is undermine them, hollow them out, and use them like a puppet, much as we've seen this minister, the Minister of Health, trying to undermine the Alberta Medical Association, because we can't have doctors who are actually experts in the field, who are defenders of our public health care system being there to gainsay his poor choices. That is why we see him attempting to undermine the College of Physicians & Surgeons of Alberta and force them to help clean up the mess he created.

Now we see them doing the same with the Health Quality Council of Alberta. It wasn't enough for them to simply fire the existing chair with a phone call from the deputy minister the day before and not even inform the board of the council until minutes – minutes, Madam Chair – before their next board meeting. That is how little regard this government shows for our public servants. Well, in this case that's not even the correct term. Allow me to correct myself. They are indeed serving the public, but they are not public servants because they are not employees of this government, at least not yet. That is precisely what this government is attempting to do as one of the many changes that they are forcing through with Bill 30.

For that reason, Madam Chair, I would like to introduce an amendment. I'll send the copies over to you. This is an amendment intended to address the concern which I have been speaking of so far.

The Chair: Hon. members, this will be known as amendment A3.

Hon. member, please note that you're moving on behalf of another member. No names, please. Please proceed.

Mr. Shepherd: Thank you, Madam Chair. Could I just get a check on the time, please?

The Chair: Twelve minutes remaining.

Mr. Shepherd: Thank you, Madam Chair. Indeed, I am moving this amendment on behalf of my colleague the Member for Edmonton-Manning, who is in agreement with me on this concern and this issue. The amendment reads: that Bill 30, Health Statutes Amendment Act, 2020, be amended by striking out section 5.

A very simple amendment. Basically, this is an amendment which would allow the Health Quality Council of Alberta to remain the independent, arm's-length expert of record, analyst, and critic of our public health care system that exists today. Let's talk about why this is such a concern. An excellent article was recently published by doctors Lorian Hardcastle and Ubaka Ogbogu, both experts in the area of law and health policy, Dr. Ogbogu an associate professor in the Faculty of Law and Faculty of Pharmacy and Pharmaceutical Sciences at the University of Alberta, Dr. Hardcastle an associate professor in the Faculty of Law and Cummings School of Medicine at the University of Calgary.

Now, Dr. Ogbogu himself was a member of the board for the Health Quality Council of Alberta. He is a man of great integrity, a man of great intelligence and knowledge, a man who served very well in that position because he is knowledgeable about the health care system in the province of Alberta. On seeing Bill 30 and this government's intent to ram through this massive change, he resigned his position on that board in protest of this government's plans to undermine the ability for that council to do its work.

Now, he and Dr. Hardcastle just recently published an article on longwoods.com called Proposed Legislation Erodes Independence and Expertise of Alberta's Healthcare Institutions. Now, they note that

independent and arm's-length public bodies [indeed] play a critical role in high-functioning, publicly administered health systems. They provide expertise-driven and non-partisan inputs into the system, while maintaining continuity of vital functions between election cycles and changes in government.

Indeed, the intent is that they exist outside the vagaries of the election cycle, Madam Chair, so that we can have a reasonable continuity, a long-term view of our health care system. And under this government that is badly needed because we are seeing a lot of short-term, very short-sighted decision-making, which is probably why they want to undermine the expertise and the voice of a group like the Health Quality Council of Alberta.

Dr. Ogbogu and Dr. Hardcastle note that groups like the Health Quality Council of Alberta

also help to counteract regulatory capture by shielding certain activities from political interference.

They note that

in many health systems, the responsibilities . . . these institutions [have] include the regulation of health [care] professionals . . .

Well, they're speaking there of some other institutions, which we will be speaking about during this debate as well.

. . . and oversight of certain aspects of patient safety and health service quality improvement.

Now, this government claims that they want to improve the quality and the accessibility of our health care system. They claim a number of things about what they are doing in Bill 30, claiming that it's going to cut wait times and it's going to provide more access. They have provided no data and no proof towards that, Madam Chair. These so far exist only as empty claims and promises.

Now, a group like the HQCA is perfectly suited to actually analyze the data, actually look at the results across multiple jurisdictions, and actually provide advice to government on whether their policies, this government's policies in particular, to massively increase the opportunities for American-style private profit in our public system are actually going to yield positive results for Albertans.

Now, Bill 30, as I said, utterly undermines the HQCA's ability to do just that. In their article Drs. Hardcastle and Ogbogu note that

Bill 30 also impinges on the HQCA's independence and objectivity. Under the Health Quality Council of Alberta Act, the council is an arm's-length partner to the government and other health system stakeholders. The Lieutenant Governor in Council is responsible for appointing the HQCA's board and directing its operation in conjunction with the legislative assembly.

Currently there is accountability, in part, to all 87 members of this Chamber. This government wants to take that away and put it all in the hands of one member, the Minister of Health. Even government members, Madam Chair, should have a problem with that because they themselves are being undermined in their ability to serve their constituents and have access to unbiased information to make their own, which I'm sure they do, reasoned determination about the policies their government has put forward as opposed to being led along and told how to vote. They are losing that unbiased access.

The doctors note:

By contrast, the health minister's role is administrative and consists [simply] of approving by-laws and CEO compensation, and requesting assessments and reports.

That is the amount of power the minister currently has over the HQCA, just administrative. He gets to approve bylaws, he gets to approve the compensation for the CEO, and he can reach out to them and ask them to provide assessments and reports. They are independent.

7:20

In the words of Drs. Ogbogu and Hardcastle:

The proposed amendments [in this bill] significantly expand [his] control, thereby setting up the HQCA to help advance the government's policy agenda.

We're moving from an independent body that exists to support all 87 members of this Chamber, all health care professionals, all academics in the province of Alberta, indeed all Albertans to something that will simply serve as a creature of the Minister of Health. They note:

Under Bill 30, the health minister will be responsible for appointing the . . . [entire] board, approving its annual plan and issuing directives to the HQCA. Other changes will permit the deputy minister of health to attend [all of their] board meetings and require the HQCA to report [directly] to the minister of health rather than . . .

to the 87 of us as independent members of this Assembly. That is less democracy, Madam Chair.

This government likes to pat itself on the back for putting through a bill on referendums that they get to write and control every aspect of. Here is real democracy, and they are removing it. They are undermining it. They are taking it away from Albertans.

The doctors say:

The council's objective will shift from a leading role in health system monitoring and improvement to merely assisting in information and evidence gathering.

They are taking an independent body of experts, Madam Chair – innovators, people who are able to conduct incredibly useful studies that inform our work – and turning them into gophers for the minister, mere note-takers, collators, because, well, I guess that, in their view, that's what other jurisdictions do. Why would we want to have a better quality reporting body for the people of Alberta? Why would they deserve that? I mean, after all, this government doesn't seem to believe that Albertans deserve many of the aspects of the quality of care that we currently have. They're in such a rush to undermine them with Bill 30 and replace them with corporate care, with profit-driven care. Of course, one can understand, then, why they would not want a body like the Health Quality Council of Alberta around to be able to report on the damage they are going to do, damage we already see despite the Health minister's and the Premier's decision to try to deny it.

The doctors note that the

HQCA recommendations will not always be consistent with the government's political agenda,

which I suppose is why they have to go, because, as I've said and as we have seen, this government will brook no dissent. They're using, yet again, legislation, every tool at their disposal, to undermine a dedicated public body that serves Albertans to force them to knuckle under and do what they say, just like with Bill 29. They're trying to do that with municipal councils and positions across the province of Alberta. This government cannot stand to have anyone that would stand up against them, so they will use legislation to attack them and grind them down, to undermine their ability to work.

The doctors note that

evaluating and improving the quality of health services is a long-term, ongoing process . . .

as I said,

. . . that transcends election cycles.

Not only is this government undermining the HQCA now, they will be impoverishing our ability for years to come. The analysis that will be lost, the potential data that will not be collected, the potential work that will be stifled under this Minister of Health, who has proven himself to be incredibly defensive and vindictive in his quest for control: that is work that will be lost for years. We will have an enormous deficit of health analysis, information, and data that is badly needed to truly do innovative work in reducing costs in health care while actually protecting the quality of patient care in our public health care system.

That is why I brought this amendment forward, Madam Chair, to remove this section from the act, to allow the Health Quality Council of Alberta to remain the leading light it is for the province of Alberta and across Canada, to keep this minister from undermining it, dumbing it down, taking away that valuable resource and asset from the people of Alberta. It's my hope that all members will support it.

Thank you.

The Chair: Any other members wishing to join debate on amendment A3? The hon. Minister of Transportation.

Mr. McIver: Well, thank you. I appreciate the remarks regardless of whether I agree with them.

At this point I will move to adjourn debate.

[Motion to adjourn debate carried]

Bill 32

Restoring Balance in Alberta's Workplaces Act, 2020

(continued)

The Chair: We are on amendment A1. Are there any members wishing to join debate? The hon. Member for Edmonton-Mill Woods.

Ms Gray: Thank you very much, Madam Chair. Good morning to all. I am very pleased to rise to speak in Committee of the Whole to Bill 32 on amendment A1, that I have proposed, that was moved by an hon. member on my behalf earlier this evening. What this amendment does is put into practice the words that the minister of labour has been sharing with this Assembly, because, as we've discussed through question period, through members' statements, and through debate on Bill 32, the opposition caucus remains incredibly concerned about the impact to Albertans with the changes to termination pay.

As a reminder, currently when someone is terminated, they can expect that final paycheck within three days. If someone is not terminated but, rather, provides notice, then there is a longer window of 10 days. But that three days is, to be very clear, for any time that an employee has worked that hasn't been paid out yet. It would include any vacation pay. It would include any other items that are owed to that employee. That money belongs to and is the worker's.

Now, changes to when someone gets that final pay have been proposed through Bill 32, but as the opposition caucus has noted, there are some very serious repercussions to Albertans, working Albertans, if they are put in the situation where they may need to wait up to 31 days for a paycheck that they were expecting. We know that there is a huge percentage of Albertans and Canadians who are only \$200 away from financial crisis, so to step in and change when someone gets their final pay in a way that means someone might not be able to get that paycheck for 31 days is shocking and could seriously harm financially vulnerable working Albertans.

Now, the minister has stood in this place and talked about how this will save \$100 million because it will save employers from having to run extra payroll and it will save employers that \$100 million. There was an association – I apologize; I don't have the note in front of me – that estimated that it costs \$91 per extra paycheck that someone has to run out of cycle, so as I've said before, that \$100 million estimate is really estimating a lot of terminated Alberta workers. That being said, the minister has also said very clearly that the intention of the change in Bill 32 is that it allows the employer to simply pay out that terminated employee in the next paycheck run to make sure that rather than having to do the more expensive three-days-later paycheck to give the employee their own money, which I think is a reasonable expectation, what amendment A1 does is that it actually says:

When an employee's employment terminates, the employer must pay the employee's earnings . . .

- (a) on the day following the last day of employment on which wages would normally have been paid to the employee, tying it to the next paycheck, and
- (b) within the 10 consecutive days after the end of the pay period in which the termination of employment occurs.

7:30

So we've provided some flexibility here for employers to be able to choose one or the other but precluding that additional 31 days that's currently existing in Bill 32. The reason for this amendment and this adjustment is because we've heard first-hand from Albertans, prior to this but also particularly during the pandemic, how

important that final paycheque and that financial security are to them and to their families.

In this place the minister has stood repeatedly and said that this is just about streamlining and bringing down some costs for employers and that the intention is for employees to get that remuneration, to get the money owed to them on the next paycheque. This amendment will actually do that whereas, as currently drafted in Bill 32, someone may not get that final paycheque for 31 days. That is what is allowed in the way Bill 32 is drafted. So I propose this amendment not as a shocking change of direction or a hijacking of Bill 32 but simply to put into practice what the minister of labour has said in this place.

All it does is put into practice what the minister of labour has been saying and reassuring Albertans about, that this is not about you not getting paid for 31 days, that it's to facilitate employers putting it on the next paycheque run. This amendment does that. I know that some of my hon. colleagues have already spoken to this amendment through the night, and I will eagerly wait to see whether the government has any thoughts on amendment A1 to Bill 32.

Thank you very much, Madam Chair.

The Chair: Any other members wishing to join debate on amendment A1? The hon. Member for St. Albert.

Ms Renaud: Thank you, Madam Chair. It's my pleasure to rise and speak to amendment A1. Really, we're talking about amending Bill 32, Restoring Balance in Alberta's Workplaces Act, 2020, and I would be remiss if I didn't make the same comment that I have on the other occasions that I've spoken to Bill 32, and that is that the title of this bill is incredibly misleading because it does not restore balance in any way, shape, or form to Alberta's workplaces. I think that this amendment is an attempt, I guess, to mitigate some of the damages in this piece of legislation. Specifically, this one is around employment termination and the payment.

So let's back up a little bit. This is a large piece of legislation. We know that it amends six areas within the legislation: the Employment Standards Code, the Labour Relations Code, the Police Officers Collective Bargaining Act, the Public Education Collective Bargaining Act, the Post-secondary Learning Act, and the Public Service Employee Relations Act. I'm going to focus on a piece around the Employment Standards Code, specifically around termination. You know, I've said this before, too. In the middle of the summer – and it's a beautiful day today – in the midst of a global pandemic I never could have predicted that we would be in this place trying to do everything we can to tip the scales away from Alberta workers just a little bit more, but that is indeed what we're doing here, and that's incredibly disappointing.

One of the things that my colleague said – and I was so happy that she said that – was one of the reasons the government has said that they're going to save a hundred million dollars by changing the rules around final pay. I am certain that I've asked before, but I would like to see that work. I would like to see the calculations. Where is this figure coming from? Where is the hundred million dollars coming from? I would suggest that likely this saving is being calculated on perhaps the interest that companies are amassing or accruing based on unpaid wages, things like that, because we absolutely know that it is not that expensive to issue a record of employment or to electronically deposit a final pay into somebody's bank account. I think even the government of Alberta has completely moved away from issuing paper cheques. I mean, there are certainly some exemptions to that rule, but for the most part direct deposit is the mode that is used, and that is the very same for most companies, so I would suggest that the cost is minimal.

I know that most companies – and, again, I can't speak to microbusinesses or perhaps very small businesses that perhaps just have an employee that does that work, but for the most part large companies contract with existing IT companies, in many cases, that do this work. A big one that is used by lots of organizations is Ceridian. That is the one that I'm familiar with. I'm familiar with their human resources and payroll supports, I guess, their programs that are used.

I know, for example, in that contract there was an unlimited ability to do payroll runs. What that means is, you know, that some companies will pay every two weeks, some even every week, but some every month. To do a payroll run – right? – you input all of the information, and then all of that is cleared and then deposited. The contract with this particular company allowed the employer to do unlimited runs. That means, especially in an organization where there is a fair amount of turnover, that the company that is contracting with the provider isn't billed for any additional runs when somebody leaves or somebody is hired, to set them up.

For the government to say that they're saving \$100 million: I would suggest that if they want to be honest with Albertans about why this is actually necessary and why this piece of legislation has to change that in the midst of a global pandemic, when we know that people rely on their income – I mean, a lot of people live paycheque to paycheque, and extending the time period that people will reasonably receive their income or their wages or their payment for the work that they've already completed is a little bit disingenuous. I would like to see that work because I'm not buying that it's \$100 million in savings in terms of the actual work required to terminate and pay somebody. Now, if it is \$100 million in savings because companies will keep the funds that will eventually be paid out to workers, that's a whole other story, so I would like to see that work.

You know, the other thing, Madam Chair – and again this goes back to restoring balance – is that this isn't balance. This is some kind of weird balance when the majority of the advantages or the changes in this piece of legislation do not actually protect the individual worker but actually side with the employer. I'm not saying that that's always a bad thing, because there are times when there need to be changes that are more supportive of the employer in order to create a work site that's attractive to employees or that is stable enough to employ employees, but I don't believe this particular piece of legislation does that for employees.

In fact, you know, one of the things that I struggled with a little bit at the beginning was, other than the really weird ideology about hating, not hating but disliking or distrusting, unions – I really didn't understand that. At its foundation and at its core, these unions really are a way, if you look back in history, for people that traditionally had no power, no ability to negotiate with the employer, which by definition has the majority of the power in the relationship. It gave them an ability to come to the table with a little bit more, I guess, ability to ask for something that they traditionally would not have received. Again, it's just one more thing I don't understand other than the ideological sort of nonsense that we hear: the union bosses and – oh, my gosh – Venezuela and blah, blah, blah.

7:40

Really, this is an attack on the workers, and you can call it changing the way that unions are operated, but at the end of the day this is about employees because unions exist to protect and to support employees. That is what they do. That is why they exist. That is why we have weekends. That is why we have limits on the hours of work that we can do. That is why we get breaks. Oh, wait, wait, wait. Yes. The UCP is going to change that a little bit because

they decided that workers need fewer breaks. It doesn't matter if they're paid or not, but they need fewer breaks, because, you know, worker safety and all of that.

Going back to this, again, I would suggest that all members really consider this particular amendment. It is sort of ridiculous to say that we're going to extend the period of time that people have to wait for their final pay because it's going to save a hundred million dollars: "Trust us. We haven't shown our work, but trust us. It'll save a hundred million dollars." Really, I'm sure that every single one of us could look at our little bubble, look at the people that we know in our circles and think that if for some reason that person lost their job, whether it was no fault of their own or it was their fault, for the most part people don't have the ability to wait an additional two weeks or in some cases an additional month for their final pay.

People live paycheck to paycheck for the most part. I wish that was not true. I wish that all Albertans had savings to fall back on. That is not always the case. For the government to say that this piece of legislation is actually in place and here and being debated because it stands up for workers' rights yet what they want to do is extend the time given to employers to pay their final pay, with a straight face, without demonstrating their work, without backing up what they're saying, is not fair to Alberta workers, not at all.

That's just one piece, and I'm sure we'll get there because there are certainly a lot of things to debate. This is just one piece of the attack on Alberta workers. I mean, when you add that to – that's, you know, payment of final pay – the calculation of statutory holiday pay, you add to that overtime, you add all of these different pieces in, it doesn't make sense to me how this could even be titled restoring balance when it is not. It's restoring advantage to one side, not the other, at a time when we are struggling.

We're all struggling in this province. I don't mean all as in here, but all Albertans are struggling, whether it's job losses, whether it's uncertainty about what's happening, uncertainty about your job, uncertainty about school, definitely uncertainty about what's happening in terms of the public health emergency. This is not something that contributes to the overall well-being of Albertans. We already know that we've got 15.5 per cent unemployment in Alberta. I mean, we've got a participation of 69 per cent, an employment rate of 58 per cent. This alone tells you that there are so many Albertans struggling, and we aren't seeing – and I'm not blaming this on the government. I am certainly not. I understand that we're in a public health emergency. I understand that commodity prices, you know, have tanked – that's an understatement – recently.

There are so many people struggling. We know this. We see it every day. I'm sure constituency offices like mine are all hearing from constituents that are struggling. How on earth do you justify doing something like this knowing what is happening out there? Millions of Albertans count on government to ultimately set the tone, to set the framework, to set minimum standards, to set codes that we can all trust and adhere to, and at a time when more than ever people are looking to their government for support and for leadership and for protection in many cases, this is what we get.

So, Madam Chair, this amendment, I think, is essential in that we are saying that it would be sending a very clear message to Albertans to say: "You know what? We hear you. We understand things are difficult. We are not going to make things more difficult by extending the time that your employer or your ex-employer has to pay your final wages. That is not good."

You know, I would suggest – the government likes to talk a little bit about just the differences in the different cities in Alberta and the different areas. Sometimes it's urban versus rural. "Rurban" is the weird word that we use. I think that it's important to recognize

that we are struggling all over the province. I mean, obviously, because of the numbers of people that live in the urban centres, we know that the big cities or the cities are certainly the hardest hit.

Weirdly enough, the hardest hit cities in Alberta in terms of unemployment are Banff, Jasper. I think that we probably get that, based on what's happening. Then we have Athabasca and Grande Prairie, Peace River, Rocky Mountain House. Then we go on to Edmonton, then Calgary, then Red Deer, and it goes on and on like that. The reason that I looked up these recent unemployment numbers is that I just wanted to see sort of: where is it happening? I think what we can assume, based on these numbers, based on what we're hearing, is that all of these things are continuing. For example, if you look at Banff and Jasper, which rely heavily on tourism or people visiting, using the restaurants, all of those things, we know, although they might not be completely shut down, that the capacity is not what it used to be. We are not getting international travellers. Thankfully, we're doing a lot more staycations, so a lot of Albertans are turning up.

All of these people – these numbers, these statistics, these percentages – are human beings. These people have lost their jobs. They've been laid off. Some have been fired. When we know that this is such a huge problem right across the province, why on earth, in the middle of the summer, during a public health emergency, would you introduce a piece of legislation that does absolutely nothing to restore any kind of balance whatsoever? In fact, it really restores or puts more power into the hands of people that already had more power to do things like hold back final pay just a little bit longer so that: what? You know, we haven't heard exactly why this is so helpful and necessary to employers. Tell us why. If you'd like us to vote for this piece of legislation, tell us why. The government said that \$100 million would be saved. Show us. What does that mean? Where is this calculated?

We've heard – the Member for Edmonton-Mill Woods let us know – that it was approximately \$91 per employee to issue the record of employment and then, like, to deposit the funds into the employee's account. I would suggest that it might even be lower than that because some companies, based on the contract with their provider, have the ability to run unlimited numbers of payroll, so that means that that includes records of employment and all of those things. If the government is genuine and genuinely wants to restore some kind of balance and if indeed the \$100 million saving is a benefit to Albertans as opposed to not just a benefit to some employers, then show your work.

[Mr. Amery in the chair]

I would suggest that if it's the employers that are benefiting from this \$100 million saving, it is likely very large employers because for small employers, you know, even if their turnover rate is fairly high, it's not going to be 10, 20, 30, 40, 50 employees that are let go at a time or that are fired or that are laid off. It's not going to be that much money that is sitting in a bank account accruing interest, so I would suggest that this particular saving, the government estimate of \$100 million in savings, is coming from some larger companies where it is advantageous for them to keep those funds in their bank accounts accruing interest.

Then I would go back to another point that I made repeatedly, Mr. Chair, and that is that I think that what we see lately in some of the government bills, particularly in Bill 32, is a direct result of intense lobbying from lobbying groups, from lobbyists. In this particular case the example I would use – contrary to a comment made by the Premier yesterday, we do not hate restaurants, nor do we even hate Restaurants Canada. They actually have some good

initiatives, and if you go through their website, you can see some of the good advocacy and lobbying they've done over the years.

7:50

But in this case we know that a huge lobbyist group, which is Restaurants Canada, who represents very, very large companies, whether it's McDonald's, Wendy's, Tim Hortons, whatever – this particular lobbyist group has pushed for a number of these changes, whether it's the ability of government to apply for a variance or an exemption for whatever reason, whether that's based on that they want an exemption to the minimum wage or some other reason. Perhaps it's an exemption or variance to the number of hours that are able to be worked in a day. I know, for example, that in the disability sector there are a number of existing variances that allow for live-in weekends, I think it is, or 24-hour shifts like that. Of course, some variances and exemptions are required, but again this bill is a direct result of some intense lobbying by lobbyists, I suppose. That's what they do. They've been quite successful, based on this piece of legislation.

Now, if indeed the lobbyists have said, "Reducing the amount of time that is required to issue final pay is a really, really great thing, and we really, really want it because it's going to save us and it's going to turn this sector on its head and we're going to be so successful, and here's why," then I would ask the government to share that information with us, Mr. Chair. I think it's important, actually, that if the government would like us to make an informed decision on this piece of legislation, you have to do more than shut us out of a briefing so that we don't get to ask questions, then really explain nothing more than your talking points in debate, and then not table the work that actually supports the pieces that are in the legislation.

I would suggest that the government has missed the mark on a number of the points that I've just made because I, for one, would certainly, like with anything, consider both positions before voting, but I really don't have any additional information other than: "No, no; we're restoring balance. Big unions, big union bosses are bad. Blah, blah, blah, Venezuela." Whatever. That's ridiculous. If this piece of legislation does indeed save \$100 million per year with this tiny little change, with extending the amount of time that is given to employers to pay final pay, then I would like to know where that saving is coming from, Mr. Chair.

I'm assuming my time is running out fairly soon, so I will just stand here and look awkward for a few seconds and sit down. Okay. Thank you.

The Acting Chair: Thank you, hon. member.

We are on amendment A1. Is there anyone else with any comments? I see the hon. Member for Highwood.

Mr. Sigurdson: Thank you, Mr. Chair. I just want to speak to amendment A1. I was just listening to a lot of the comments coming from the opposite side. I know that I've spoken to this bill once under 29(2)(a), but I guess what I have to bring up again is that as I continue to listen, it just backs up the fact that there's a very huge lack of understanding from the members opposite about what it's like to be an employer, and I think it's becoming more and more clear, that lack of understanding from the other side. I mean, for four years as an employer myself we saw the negative impacts, massive unemployment. Costs just continued to get piled on from the NDP to employers, which caused a lot of layoffs, a lot of hardship, the highest insolvencies and bankruptcies in, I do believe, Alberta history. I really do believe that this bill is a pinnacle piece in taking one of the nails out of the coffin that the NDP put so many businesses into within this province.

Amendment A1 here: I'm looking at it right now. Actually, the Member for St. Albert said, "We're not going to make things more difficult for workers," yet when I'm looking at this amendment, there are two key points here. It says:

When an employee's employment terminates, the employer must pay the employee's earnings at whichever . . . whichever,

. . . of the following times the employer chooses:

- (a) on the day following the last day of employment on which wages would normally have been paid to the employee; [or]
- (b) within the 10 consecutive days after the end of the pay period in which the termination of employment occurs.

I would actually suggest that one of these, (b), actually does make things worse than what we have stipulated right now, which says "31 consecutive days after the last day of employment," whichever is later. Now, if you're paying on a monthly and you terminate somebody, this would actually move it into 41 days. They're actually contradicting themselves.

With that also, (a) itself is something I'm not sure is even possible, considering that in construction we paid, you know, every two weeks on a Friday. When you consider it says "on the day following," well, that's a Saturday. A lot of the time we didn't have our administration in on Saturday, which means you have to pay the day of. Now, if the termination happened on the day of, a Friday, well, this would mean you would have to pay the person in full on that Friday, which makes it, for anybody who has been an employer, pretty much physically impossible to get that done in the middle of a cheque run when you have all these employees.

To me, this is not a good amendment. This does not improve anything because, first of all, it extends the amount of time in which an employee would get paid, and on the other hand the one consideration isn't even possible.

Now, the Member for St. Albert also asked why, why it saves money, why Bill 32 saves money. Now, she kept saying, "Prove it; prove it" over and over again. She talked about holding onto employees' money and investing it, but what I would actually say as an employer is: it is more than apparent how this saves money.

You have to understand that this is an administrative cost: \$91 for me. I was not a big company. We only had three front-end staff, four when we were really busy. In the middle of a cheque run to stop, have that employee then go stop what they were doing, have to go through a termination, compile everything up, on average four to five hours out of the day plus the lost time in what they were working on, a loss of productivity on what they were working on: I think \$91 is a very conservative estimate on what it saves for both small and large employers. I actually would contest the fact that it actually saves small businesses more than large businesses. This is really important because when we're looking across the province, we have a lot of our small and medium businesses that are excessively struggling right now.

You know, in construction alone a lot of us understand on this side that there is a high turnover. We do have a high turnover. It happens all the time, almost on a consistent basis. The ebbs and flows of construction: you know, job sites end; new ones start. This is something we go through on a continual basis, and I know personally, for myself as an employer, we would float from anywhere from 35 up to 50, 60 employees, depending on the time of the year. This is a huge benefit to construction companies alone and road-building companies and a lot of those companies that deal with contract-based work.

This amendment, to me, when I'm looking at it, just doesn't make a whole lot of sense. I mean, it just supports the fact that the members opposite have a very huge lack of understanding of how business works and what it's like to be an employer, and it just shows through and through in this amendment, both with the fact

that one of the pieces of this amendment is not possible, and the other one actually extends it beyond what we've proposed originally in Bill 32. I'd recommend that all the members on this side do not support this amendment.

The Acting Chair: I see the hon. Member for Edmonton-Mill Woods.

Ms Gray: Thank you very much. The member who just spoke is incorrect; 2(b) actually comes from the language that his Bill 32 has suggested, so it keeps a piece that his minister has put forward and said is reasonable for workers. Now, he's raised an important concern: what if it's 41 days? I agree. That is a really important concern.

I think that the members opposite have shown a very huge lack of understanding about what it's like to live paycheck to paycheck, what the impact of this change in Bill 32 is to a struggling family, a working-class family that doesn't have the \$200 to help carry them over. To be clear, this section, as proposed in Bill 32, includes the language the member read out, "whichever of the following times the employer chooses," but gives the employer the option of 31 consecutive days after the last day of employment, whether or not they're paid every two weeks, whether or not they're paid end of month.

8:00

What the members of the opposition caucus have been saying repeatedly across question periods, members' statements, and Bill 32 debate is that there is a very, very real detrimental impact to the worker who, when expecting a next paycheck, has now lost their job, cannot expect to receive that money at the next paycheck run because what the minister has proposed does not tie it to the next paycheck run in any way, shape, or form. This amendment would do that, provide that while keeping 2(b), which your minister included in this change to Bill 32.

I encourage all members to support this amendment, which puts into practice the words that the minister of labour has been saying in this House and will allow workers to be paid on the very next paycheck run, which is what the minister of labour has said. I and my caucus will be supporting this amendment.

Thank you.

The Acting Chair: Thank you, hon. member.

Is there anyone else with any comments about amendment A1?

Mr. Madu: Very quickly, Mr. Chair, I just wanted to provide some clarity with respect to the amendment that has been put forward by the Member for Edmonton-Mill Woods. Obviously, there is some confusion around the provisions of the Employment Standards Code when it comes to the concept, the doctrine of pay period.

If you take a look at section 7 of the Employment Standards Code, it clearly provides for pay periods. It talks about – and I'm going to read it for you.

Pay periods

7(1) Every employer must establish one or more pay periods for the calculation of wages and overtime pay due to an employee.

(2) A pay period must not be longer than one . . . month.

That is the primary provision that deals with pay periods.

The proposal, the amendment that has been put forward by the Member for Edmonton-Mill Woods tends to ignore that definition of pay period. Bill 32 actually exactly mirrors the expectation provided for in section 7 of the Employment Standards Code, that allows the employer to choose a pay period that must not be longer than a month – that's a pay period – with the requirement that when

employment terminates, those earnings are then due. Earnings: a composition of wages, overtime, general holiday pay, all of those things. Earnings is, again, defined in the code.

I just wanted to very quickly provide that clarification that the amendment put forward by the Member for Edmonton-Mill Woods seems to ignore the requirement of the Employment Standards Code that allows an employer to choose a pay period. Thank you, Mr. Chair.

The Acting Chair: Thank you.

Is there anyone else who has comments on this particular amendment?

Seeing none, I'm prepared to call the question.

[Motion on amendment A1 lost]

The Acting Chair: We are now back on the main bill. Any other comments? I see the Member for Edmonton-Mill Woods.

Ms Gray: Thank you very much, Mr. Chair. Unfortunately, with the members having not supported that amendment, although I'm disappointed, I'm very pleased to introduce a new amendment allowing us to once again try to improve this exact same section of the bill.

The Acting Chair: Hon. members, this will be now known as amendment A2.

Please proceed.

Ms Gray: Thank you. I am moving this amendment on behalf of the MLA for Edmonton-Manning, that Bill 32, Restoring Balance in Alberta's Workplaces Act, 2020, be amended by striking out (a) sections 1(3) and (4) and (b) section 4.

What the members will see as they flip through to their Bill 32 – what this amendment is doing is leaving the final payment provisions unchanged. Given that the government was not prepared to support an amendment that supported what their minister has been saying, which is that this is about putting it on the next paycheck run, I believe that all members should be supporting this amendment. We should not be making changes to final pay given the precarious nature of so many Albertans' finances right now, in the middle of this pandemic, with as many issues as we have seen with people losing work, being put into really difficult situations. I think we should all have our eyes open to the fiscal reality of so many Albertans. We know the stats. We know that a huge percentage of them are only \$200 away from crisis.

As drafted by this government, Bill 32 gives the employer a choice of whichever of the following the employer chooses: either 10 consecutive days after the end of the pay period in which the termination occurs or 31 consecutive days after the last day of employment. This is an extended amount of time compared to someone being terminated and getting their last paycheck three days later. There's a big disconnect between what Bill 32 says and has been written as and what the minister of labour has been saying in this place about this being about going onto the next paycheck run. The previously defeated amendment would have done that, but without that kind of a guarantee, by giving employers the option to choose to withhold those final paycheques – again let's remind everyone that we are talking about money that workers earned, including vacation pay. This is their money, and giving employers the option to only pay that money 31 consecutive days after the last day of employment as a clear option, I think, can be, will be detrimental to a number of Albertans.

So I propose this amendment A2. Let us not change the final pay here in Bill 32. Let's make sure that particularly during a pandemic,

at a time of financial uncertainty for many, many Albertans, they have the surety that should they be terminated and lose their job, they will be able to get their money within three days.

Thank you, Mr. Chair.

The Acting Chair: Thank you.

Anybody else want to comment on amendment A2? I see the hon. Member for Calgary-Mountain View.

An Hon. Member: Lethbridge-West.

The Acting Chair: My apologies.

Ms Phillips: Thank you, Mr. Chair. I'll just go with it. But as a native Edmontonian I have to take great offence at being accused of being from Calgary. I will take that under advisement and try to contain my native Edmontonian reaction to that.

I'm rising to speak to this amendment to Bill 32, which, of course, strikes out the proposed amendment in 1(3). What this does is that it ensures that employees are not necessarily waiting up to a full month for the payment of wages that they earned. We are doing this because we believe that, first of all, this should apply to those who have chosen to move on for a job and, secondly, Mr. Chair, because we believe that workers should have access to the funds that they earned as quickly as possible.

[Mrs. Pitt in the chair]

Now, I'm going to ask all of our colleagues to cast our minds back to the months of March, April, and May, when I'm sure many of us – I know I was – were receiving e-mails, telephone calls, inquiries into our office about delays to, in many cases, their employment insurance. Now, we are provincial MLAs, but many people were waiting for considerable amounts of time. The system was also very, very backed up in terms of maternity leave benefits, for example, Madam Chair, and people were struggling at that time.

8:10

I had people reaching out to me knowing full well that I'm a provincial MLA and that those are matters under federal jurisdiction, but they had no real other place to turn to to ask for advice or help in how to access benefits and some of that bridging from a layoff or other thing that had happened given the backup in the federal systems that had happened before the emergency response benefit, the CERB, ended up rolling out. A number of people were also experiencing significant delays in employment insurance beyond the usual waiting period, and that was tough on a lot of families. I know one family that considered at that time, because their EI and so on had taken so long – the layoff had occurred in the transportation sector. They are now beginning the process of relocation and moving their very young family. In large part, it was a reaction to some of the just incredible sense of insecurity and stress that came as a result of a layoff.

This is a story that is playing out over thousands of families now, certainly has played out in the oil and gas sector. The petroleum labour market information folks report that 11,000 oil and gas jobs or positions, I suppose, have been lost over the last year or a little less than a year. We are in a situation where families are worried about mortgage deferrals and having to have those tough conversations with their financial institutions. That never feels good if you have been working away and building your family and providing for your kids and now you are in a situation where you're waiting for your last paycheck. You are waiting for other things, maybe for over a month, and you're going to then struggle with

some of those bills. So prompt termination pay can help with a lot of that stress. It can certainly just help with the general stress that families are feeling right now.

I know that for some of the folks that I talk to that were in those waiting periods, that had just been laid off – they had potentially received their final paycheques but not their EI or CERB or whatever the case may be – it was really tough because that came at the same time that they were managing just everyone's response to a potentially deadly virus and a global pandemic, in which there are many unknowns for all of us, long-term effects being one of them, and, of course, children being at home at the same time, all of the demands on our time that accrued from this massive dislocation of structured family life that we saw for thousands and thousands of Albertans and millions of Canadians.

That prompt termination pay can make all the difference between making some of those decisions with a calm, clear mind on what the future of our family looks like, where we might live, what kinds of next steps we might take, whether one spouse is integrating themselves back into the workforce or not, what kinds of schooling arrangements we are going to make for the fall. So many families are worrying about that right now as well. Money is always a big part of that, and when you lose a job, that becomes something that takes over all of your decision-making and can really affect how you make decisions for your family, including now the decisions that so many parents have to make around their educational arrangements and the trade-offs that we have to undertake in terms of the educational outcomes for our children and the risk that we are going to expose them to.

At a time when we have hundreds of thousands of people who have either lost jobs in Alberta or had their hours reduced, to then take a measure that may result in workers waiting longer than they otherwise would in terms of payroll cycles and so on strikes me as a measure of a government that wasn't picking up the phone in March and April and May to talk to the people who were really, really worried before a lot of the, you know, CERB and other benefits came in, before many of the arrangements were made with mortgage deferrals and so on. People just didn't know what they were going to do.

To drop, then, into that very, very difficult time a much longer waiting period is monumentally, to my mind, tone-deaf to the struggles of ordinary families at this point, when we are facing an unprecedented downturn in the economy due to the twin factors of the COVID-19 pandemic and the, at least for now, softening of commodity prices. There was a precipitous drop and then something of a recovery, but still we know that oil and gas firms in particular have restructured their capital spending outcome, and that means jobs, Madam Chair, and that means that as those decisions move forward through the fall, we know that there will be families that continue to struggle. With the situation, at least in the short term, given that we do not know what the future brings in terms of the spread of the virus and the overall effect on the global economy, it seems to me to be the wrong time to be bringing in measures that may result in people waiting for a month for their final paycheques.

I do have questions about two things, one being the consultation leading to the \$100 million claim. If it is, in fact, a claim that is real, then we know that there is analysis prepared within departments to back it up. You know, there used to be a time in Legislatures when if ministers in particular, Executive Council, even others, even government members, made claims as to the existence of an analysis or a piece that had been briefed to Executive Council or a reason for a decision, that piece of information would then be tabled in the Legislature, that members of Executive Council refer to facts as they have been briefed to them and the advice of the civil service. If that is, in fact, the case, I am perfectly willing to accept it to be

the case if I see the piece of paper in front of me, and I think that Albertans are owed that duty of care and that fidelity to the facts and to evidence as well as the members of this House. I think that it does no one any favours to simply say words without providing some basis of the analysis that was provided to Executive Council in the cabinet reports or elsewhere to justify this particular decision.

You know, that too goes for records of consultations. Generally speaking, when large pieces of legislation are tabled in the House, they are, at least historically, accompanied by a report on consultation and an appraisal of what was said in those, sometimes surveys or other documents. The best forms of these are when, for all sorts of industry associations, assorted lobbyists, others, their submissions to the process are then simply posted publicly without a coat of varnish from government so that the public can then see what, in fact, the record of consultation was. We find that that has not accompanied this particular intervention in Bill 32 on the matter of termination pay, Madam Chair, and I would be curious to see it, whether it even exists.

With that, Madam Chair, I shall conclude my remarks in support of this amendment that ensures that workers are not waiting up to a full month for the payment of their wages that they have earned.

8:20

The Chair: The hon. Minister of Municipal Affairs.

Mr. Madu: Thank you, Madam Chair. I wanted to again very quickly speak to the amendment proposed by the Member for Edmonton-Mill Woods. Essentially, what this amendment does is to return to the status quo that exists under the current Employment Standards Code – i.e., section 8(2), section 9, and section 10 of the Employment Standards Code – thereby defeating the purpose for which Bill 32 has been put forward with respect to when an employer pays termination pay.

To be clear, section 8(1) preserves the payment of wages, overtime pay, and holiday pay. That has not been affected. Section 8(1) is not repealed by Bill 32. What is repealed in Bill 32 is sections 8(2), 9, and 10, that deal with when an employer ought to pay termination pay if terminated by an employer or if terminated by an employee. The current law requires that that be paid within three days if – if – the requirement of notice has been satisfied; if not satisfied or where it is not required, then 10 days.

Those are what have been proposed, and if you recall, Madam Chair, earlier on, when I spoke to the previous amendment, I referred this House to section 7 of the Employment Standards Code, that stipulates pay periods. All that Bill 32 is seeking to do by the amendment with respect to when termination pay is to be paid is to allow employers essentially to comply, to follow section 7 of the Employment Standards Code, that stipulates pay periods.

Employers have, under the current law, the right to put in place their pay period. It could be two weeks. It could be a week. It could be a month. If that is the case, right under the complex provisions provided for in sections 8(2), 9, and 10, that is an administrative nightmare. If you work in HR, if you work in preparing paystubs, if you have dealt with all of this, if you're an employer that spends so much money in trying to compute all of these things, you will understand why the current provision is unwieldy, unnecessarily complex, and doesn't do anything other than – and this is one area where I am very sympathetic, because each and every one of us here were at one point an employee.

I understand the notion that employees should have their pay once terminated. I get that sentiment. I get it, and I support the notion that an employee must get what is due to him or her. I get all of that. But at the same time, the reason why we have legislation – there are all kinds of goals, objectives why we put forward

legislation. It is not meant to be single minded. It's not meant to just deal with one narrow issue if it is going to have untold consequences of making things a little bit difficult for the same people that we seek to protect.

We have heard from the minister of labour that industry estimates that it costs them about \$100 million to abandon the pay period that they have spent so much money incorporating into their business model and to now have to prepare a different pay period for every three days that they have had to fire an employee. For every three days. The consequence is that, just to be clear for those watching from home, if an employer has a two-week pay period or a monthly pay period, they would then have to, you know, devise a third pay period for termination pay only. That is the consequence. An employer has got a two-week pay period, biweekly, semimonthly, or monthly: for termination pay purposes, there would now have to be a third pay period. That is, in a nutshell, the consequence of sections 8(2), 9, and 10, that Bill 32 repealed.

And if we have the opportunity, if we are going to pay an employee his or her wages, overtime, and general holiday pay in a biweekly pay period or in a monthly or semimonthly – what is it there that makes termination pay not able to fit within those pay periods? What exactly – again, I understand the argument of making sure that an employee gets what is due to him or her on time, but we already have a system that allows wages and overtime and general holiday pay and vacation to be paid based on the employer's pay period. Why would we not include termination pay to be paid alongside these earnings? After all, the code defines earnings to include even termination pay, all of an employee's entitlement. We have taken one out to be paid outside of the pay period put in place by an employer. Meanwhile the rest of all the earnings are paid based on the pay period. This is the intellectual crisis that I think the NDP faces, their inability to think through some of these things.

My second point, Madam Chair, is that at a time when we have hundreds of thousands of our fellow citizens out of employment – out of employment: we had 187,000 of our fellow citizens consistently out of employment throughout the four years that the previous government were in office – now we have the double whammy of the COVID-19 pandemic, that has made things worse. We now have hundreds of thousands of our fellow citizens out of work. Why wouldn't we then pursue a policy that would allow employers to create more jobs for those of our fellow citizens who are out of employment?

Ms Hoffman: This doesn't create jobs.

Ms Renaud: That doesn't create more jobs.

Mr. Madu: I know the NDP – I mean, they're heckling right now. I know that it's so difficult for them to be confronted with the blunt reality. I get you guys. You know, I am not surprised by their heckling, but I sit here and listen to all of your arguments with all of the gaps, so, please, the least you can do when those of us from this particular aisle are speaking after all – you accuse us of not contributing to debate, but when we do, you begin to heckle.

The Chair: Hon. minister, just to remind you to speak through the chair.

Mr. Madu: Very well, Madam Chair.

Madam Chair, I was saying that we have in this province an enormous task to help rebuild our economy, create more jobs so that those of our fellow citizens who have been out of employment for a long, long time have the opportunity at the earliest chance that we can to ensure that we don't have to pay them termination pay

again. They deserve more than termination pay. They deserve full employment with the full earnings that come from the decency of work and employment.

8:30

That is where the hundred million dollars comes in. That will allow an employer to expand and hire more people, and even if they are not expanding, I think it is the right thing to do for them to be able to save some money. I just want them to be able to retain their current employees. If that is all that we accomplish by making this small tweak that will add termination pay to the pay period that we normally in this province pay wages, overtime, and holiday pay, I think, Madam Chair, we would have made tremendous progress.

I just wanted to clear the air about the confusion, because the NDP, you know, likes to dwell on creating fear and anxiety and confusion so that people wouldn't understand, they wouldn't be able to cut to the chase and really come down to the narrow issue before this particular House. The issue is whether or not we should pay termination pay within the same pay period that we pay wages, overtime, and holiday pay. That is the legal question.

I mean, if you were a lawyer and in a courtroom, if I were to argue this matter before the court, that would be the issue that the court will be deciding, not all of this talk, not all of this fear and smear that the NDP has been, you know, saying, spreading is the intention of Bill 32. The court will ignore all of this argument and focus on the narrow issue before the court. Is it the NDP's version of when termination pay should be paid, or is it the Minister of Labour and Immigration's version of when termination pay should be paid?

Our argument is that given the enormous economic challenge that we face, we can't afford to have an employer, an employer that already has a pay period instituted, spent money on investment, hired employees that deal with all of those things – we should not be creating a second layer of pay period for only termination pay.

Ms Renaud: It's easy.

Mr. Madu: The Member for St. Albert is saying it's easy because she has never handled a workplace before. You know, they have no idea what it takes to run a work environment.

Again, you know, Madam Chair, I would submit that making sure termination pay is paid based on the pay period that has already been provided for in the Employment Standards Code, section 7, that allows an employer to choose a pay period and that allows an employer to pay wages, overtime pay, and holiday pay based on that particular pay period that they have chosen, and section 7 says that those pay periods could be a month; it could be biweekly; it could be semimonthly. Once the employer chooses, the question then is whether or not we should avoid that pay period and then pay termination pay after three days or 10 days.

With that, Madam Chair, I will urge my colleagues and I will also urge the members opposite that if they are really interested in cutting red tape, allowing for an efficient work environment, and, yes, saving money for the employers so that they can expand and have more employees, and even if they don't want to expand, to be able to retain under the very serious economic pressures that we face, to be able to save a little bit of money so that they can keep current employees for a longer time, I will urge them to support what is contained in Bill 32 and vote against this amendment.

Thank you, Madam Chair.

The Chair: Any other members wishing to join debate on amendment A2? The hon. Member for Edmonton-Glenora.

Ms Hoffman: Thanks, Madam Chair. I'm speaking to amendment A2 moved by my colleague the MLA for Edmonton-Mill Woods on behalf of the MLA for Edmonton-Manning with regard to Bill 32, that it be amended by striking sections 1(3) and (4) and section 4. I want to begin my remarks by speaking to the level of arrogance and disregard for members of this Assembly when members stand up and assert things about people's backgrounds when they have no knowledge, clearly, about what people in this House have or have not done.

I respect the role that the Member for Highwood played as an employer, but disparaging members of this caucus and saying that they have no management experience when the person he was speaking to had employed over 200 people at a time, generally, in an organization that she ran, that she was the executive director of, over 200 employees and/or contractors, I think it's incredibly disrespectful to the experience there, also having run small businesses prior to that that had smaller employee complements but again probably comparable to some of the sizes that some of the members opposite talked about, you know, 30, 40 employees doing an honest day's work.

Many people on this side have, either as employers or as employees working in payroll or HR, managed to enter data and issue paycheques, so I do request, through the chair, that members speak to their experience and their expertise and not try to cast shade on other members in this Assembly, particularly when they haven't done their homework and don't know to what they are speaking. I think that that would definitely help, because I think we're probably going to be debating this bill for a while. We certainly have many issues with this bill, and as tempting as it might be to try to make personal attacks – and there are many that could be made, Madam Chair – I do certainly encourage my colleagues on both sides of this Assembly to think of the task at hand and the work that we have to do in this place.

I again want to thank my colleagues for bringing forward this amendment. I think that if we look at things that were in the platform for the UCP, the now governing party, jobs and the economy were definitely front and centre. This amendment, some might say, or some have said, is about creating more jobs by doing what we're proposing be undone in this. It certainly is not. It is not about creating more jobs, saying that employers, when they're laying somebody off, can wait longer before paying somebody out than they can currently.

If you wanted to actually help stimulate the economy, you'd make sure that the money that people have rightfully earned was in their pockets so they could use it to do things like pay their bills, buy groceries. All those things reinvest back in the local economy rather than having longer periods of stagnation where money is out of circulation because it's waiting for up to 31 days for it to be cycled through. That's probably one of the first points I want to make in regard to this. When people have access to the funds that they've rightfully earned, they definitely reinvest that back in the economy. Typically, lower income earners, particularly minimum wage earners, invest the vast majority of what they earn back into the local economy. They're not investing in offshore banks. They're not taking time to buy things online or through far-off distributors to the same degree that those who have more disposable income might.

The lowest income earners spend, proportionate to their paycheque, the most money in the local economy, so why would we create a situation where we're keeping that money from being in their pockets and therefore more likely in the local economy for the benefit of all Albertans? That's the question that we are grappling with in this situation. We think that the money should be in the hands of those who earned it, and the government is

proposing that it should, for up to 31 days, be in the hands of the employer.

8:40

That's why we're simply putting forward these amendments. We think that it's important that the money belongs with those who rightfully earned it. Having spoken with many employers, it might take a minute or two, typically, through different database programs to issue final payment to an employee in a timely fashion, but it is not some massive, onerous, laborious initiative like some in this place would have folks believe. This is about making sure that when you've done a job, you're paid properly for doing that job.

In fact, by creating a 31-day window, when the pay period is often 14 or when the pay period could be even more quickly than that, depending on when the person has left or been terminated, that actually creates more incentive to terminate people, which I don't think should be the goal of us governing in this place. I think our goal should be around ensuring that we have strong public services, that we have good opportunities for folks to earn a good living in this province, and that we're supporting ordinary families. Health care, education, and jobs are certainly three pillars that I get up with a feeling that I have a responsibility and an opportunity in this place to help move the agenda forward on those.

One of the ways today we can do this is by approving the amendment that has been brought forward for us for consideration here this morning. The change that's been proposed in the legislation is definitely holding onto wages longer, and I think that that is not beneficial to the mandate that the government ran on in terms of jobs and the economy, and they also ran on pipelines. So I think keeping the money in the pockets of people who earned it, especially when we know how many Albertans at the height of COVID are living paycheque to paycheque – we know that many are dependent on CERB currently. When that runs out, how many folks are going to be in very precarious situations when it comes to their home security, when it comes to their food security, when it comes to providing stability for their children or for other dependants? Ensuring that when they've earned a wage by doing a job, they get paid, I think, is the bare minimum that we owe to the people of this province.

Thank you to the author of the amendment and to the mover of the amendment for bringing this forward because I think it's one way to take this bill and make it a little bit better. To the many employers in this place: I know that many of us have varied experiences, and I respect the expertise that each of us brings to this place when we come here to debate legislation.

I think that this is one of the few workplaces where you don't – often an employer gets to sit down and think about their team composition and gets to determine what strengths individuals bring to the team and how you can fill those gaps. Of course, in a democratically elected workplace it's up to the citizens to choose who and what strengths they want coming to this place to represent them on their behalf. I do ask that we all consider that we were all sent here with individual strengths and that there might be gaps in this Chamber. That's one of the reasons why some of us do research. That's one of the reasons why some of us engage folks outside of this Chamber as well. I think that that makes us stronger as a collective when we come here to make decisions.

Again, it is strange to be in a workplace where you don't have one employer who can determine what the strengths are of the team and bring everyone together collectively to fill those gaps, but I do think we have a lot of strengths in this place. I ask that the members opposite when they rise – I imagine we're going to spend a lot of time on this bill – draw on their own expertise, their own research rather than coming to this place trying to defame others who were

democratically sent here through the same process, on which each and every one of us arrived here.

Mr. Sigurdson: Hopefully, you take the same advice.

Ms Hoffman: Sorry. Was that directed to me?

The Chair: Hon. members, comments through the chair.

Ms Hoffman: It was directed to the chair. Okay. Sorry. I thought I had the call. Thank you, Madam Chair.

This is certainly an opportunity for us to pass this amendment that I think goes back to doing what the government has espoused to believe in. I think this is one way that we can show workers that we've got their backs and that we're going to make sure that they get paid in a prompt fashion. For that reason, I will be enthusiastically supporting this amendment, which essentially is an amendment to an amendment because the whole bill is an amendment. This simply is saying that we're going to leave these couple of sections intact in the existing legislation rather than coming here and turning them upside down. I think that's fair. I think that's reasonable. Again to the movers: my gratitude for bringing forward very clear language that achieves that goal that has been the desired outcome with regard to these amendments.

With that, I think I will cede my time to my colleagues. One of the things I love about committee is that there's an opportunity to engage multiple times should new arguments come up. Rather than feeling like you need to use all of your time the first time, there are opportunities to re-engage when new items of information or new opportunities to do so arise.

With that in mind, thank you very much, Madam Chair.

The Chair: Any members wishing to join debate on amendment A2? The hon. Member for Edmonton-Castle Downs.

Ms Goehring: Thank you, Madam Chair. It's my pleasure to rise this morning to speak to Bill 32, Restoring Balance in Alberta's Workplaces Act, 2020, specifically to the amendment that was introduced on behalf of the Member for Edmonton-Manning by the Member for Edmonton-Mill Woods, to move that Bill 32, Restoring Balance in Alberta's Workplaces Act, 2020, be amended by striking out sections 1(3) and (4) and section 4.

I think we've heard some wonderful arguments about why this amendment is essential for this piece of legislation that's been introduced by the government. You know, it talks about Restoring Balance in Alberta's Workplaces Act, and, unfortunately, the feedback that I've been given, Madam Chair, is that this absolutely does not restore balance. This takes away money from workers in a time that unemployment rates are so high and so many across this province are unable to work because of the global pandemic, because of the drop in oil. There are many factors that are happening right now, so it just simply doesn't make sense why the government at this time is putting this piece of legislation forward.

It certainly does not restore balance. This is something that creates chaos. It's something that creates instability, and many workers have reached out, expressing some serious concerns about this piece of legislation. I've heard over and over that there have been individuals in Edmonton-Castle Downs that have come forward saying that they had supported this UCP government in this last election and deeply regret it. They feel that this has been an attack on them as workers, an attack on them as Albertans on so many levels: as parents, as physicians, as hard-working Albertans. They've said over and over that this is absolutely not what they voted for, and they are expressing some significant concerns. I know I'm hearing that, and I can only imagine that members on the

other side of this House are also hearing that because we receive correspondence ongoing from Albertans talking about the lack of engagement that they're getting from their elected official when it comes to the members of the UCP. We're being CCed in those e-mails.

I know that the Member for Edmonton-Mill Woods has been a huge advocate as both the previous minister and as well as the critic right now, standing up for Alberta workers. She's been talking to employers. She's been talking to workers, saying what the concern is, and I think this amendment allows the ability for a worker to be paid for what they have earned. They should be able to access the money that they earned as quickly as possible, not have this extension of 31 days, that simply keeps money in the hand of the employer and out of the hand of the employee.

I know that we're looking at a time where people are getting ready to go back to school, whether it's postsecondary or children returning to grade schools. This is a time where finances are tight. If a parent is in this period of 31 days, that money could come in handy. It's a time where parents are paying back-to-school fees, especially now because this government got rid of the restrictions that we had allowed for schools to cover fees. This can be an expensive time of year. Students going to postsecondary: their tuition is coming in, they're going to have to be buying books, so when they're looking at that paycheck, that final paycheck that they probably have allotted to other expenses that they need, it's not going to be accessible.

8:50

Why would we want to take money that is entitled to employees and delay giving it to them? We've heard over and over about the impacts of workers on the economy. When they're receiving paycheques, that money is going back into the economy, which helps stimulate what's been happening here. I just don't understand why we want to shift the power over to the employer as a way of supporting Alberta workers. It simply doesn't make sense.

I know that on this side of the House we're standing up for Albertans, we're standing up for workers who work hard every day and deserve their paycheck in a timely manner. Having it extended for 31 days just seems cruel, especially when people are struggling to make ends meet. We are in the middle of a global pandemic, and it has impacted probably every single industry across the province, across the country, and all over the world we're seeing the impacts of this pandemic and what it has on individuals. By doing this attack on Albertan hard-workers, it just simply doesn't make sense. It's something that I question, where this came from. We're hearing that there was minimal issue with this, so why this has come forward as something that they're doing doesn't make sense.

The argument that employers won't do this is not good enough. This simply clarifies and strengthens what the government is saying that they're intending to do, so why not accept this amendment? We're looking at ways to strengthen what they're indicating they want to do, put the wording in, have it stricken out of the legislation, and show that that is authentic. You're claiming to be transparent in what you're wanting to do and the arguments that we've heard for having this piece in there. This would actually strengthen what they're saying their intention is. Having this amendment go forward and proceed in the House I think is something that all members should support.

I know that they're all hearing from constituents across the province about why this is punitive to employees. They just have to listen and take the concerns that are coming from Albertans that work all across the province and actually accept this amendment. It's something that I think would show that the government is intending to make these changes. It supports that language that

they're using in this legislation. Let's enhance it, let's support it, and let's listen to what Albertans are asking for and take away that 31 days. It would put money back in the pockets of Albertans in a time, especially right now, when they need it the most.

We have so many that are living paycheque to paycheque. We've heard over and over that so many individuals, working Albertans are struggling. They're having difficulties making ends meet. There have been mortgage deferrals, there have been loan deferrals, utilities. All of these things are an everyday expense that Alberta workers can't afford, and taking that much longer for the employer to pay them their hard-earned money simply doesn't make sense. Being allowed to access the money that you've already earned seems to be the logical choice, especially right now, when we're looking at people that are struggling.

We think that it feels as though individuals are being punished for leaving a place of employment. I know that that's not something that this government has acknowledged, but that certainly keeps money in the hand of the employer as opposed to putting it in the hands of workers. When we have individuals coming forward and expressing concern about this attack on workers, this is an easy fix. This is something that we can just clarify. It allows for clear wording. It allows the employer to not take advantage of the delay in the paycheck.

We know that it's something that – a full month of going without pay has an impact. When we saw what this government did with the delay of the AISH payments and the outcry from individuals impacted, that delay has consequences. There are individuals that rely on that money. They budget for that money, and we've seen these decisions that this government makes about being able to keep money with the employer or, in the previous case with AISH, with the government. It's devastating to those that require that money. It could be the difference of being able to go and get groceries or perhaps having to go to the food bank, being able to access a bus pass and being able to get to, perhaps, your next place of employment, school. There are all of these things that are impacted when there's a significant delay such as a full month without an income.

I don't think that this is an unreasonable amendment. I think it's something that absolutely makes sense. I know that individuals across the province are asking: please, take this on; please, make sure that this amendment is clear and that we have access to the money that we have earned. It just simply makes sense, Madam Chair, to support this piece of – sorry. Not this piece of legislation; this amendment to the legislation, to support workers in the province who are working hard and deserve to be treated with respect, and they deserve to have access to the money that they have earned.

With that, Madam Chair, I will end my remarks. I look forward to the ongoing debate and would really hope that people accept this amendment. Thank you.

The Chair: Any other members wishing to speak to amendment A2? The hon. Minister of Transportation.

Mr. McIver: Just very briefly, it's admirable that the hon. member doesn't want anybody to wait any time for money ever. That's a legitimate point of disagreement between what the NDP's position and ours is. It's not very much dissimilar. It's quite similar.

I suppose a lot of Albertans, not just the ones laid off or quitting their job, would have preferred the same attitude when the NDP brought in the carbon tax that hurt everybody every month, whether they lost their job or not. The concern didn't seem to be there at all from the other side of the House at that time, but perhaps they're learning.

The Chair: Any other members wishing to speak to amendment A2?

[The voice vote indicated that amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 8:58 a.m.]

[One minute having elapsed, the committee divided]

[Mrs. Pitt in the chair]

For the motion:

Eggen	Hoffman	Renaud
Goehring	Phillips	Shepherd
Gray		

9:00

Against the motion:

Amery	Lovely	Sawhney
Armstrong-Homeniuk	Luan	Schow
Barnes	Madu	Schulz
Getson	McIver	Sigurdson, R.J.
Glasgo	Neudorf	Smith
Hanson	Orr	Walker
Horner	Rehn	Wilson
Jones	Rowswell	

Totals:	For – 7	Against – 23
---------	---------	--------------

[Motion on amendment A2 lost]

The Chair: We are back on the main bill. I see the hon. Minister of Transportation.

Mr. McIver: Thank you, Madam Chair. At this particular time I would like to move that the Committee of the Whole rise and report progress on Bill 32 and Bill 30.

[Motion carried]

[The Deputy Speaker in the chair]

The Deputy Speaker: The hon. Member for Bonnyville-Cold Lake-St. Paul.

Mr. Hanson: Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on the following bills: Bill 32 and Bill 30. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Deputy Speaker: Does the Assembly concur in the report? All those in favour, please say aye.

Hon. Members: Aye.

The Deputy Speaker: Any opposed, please say no. Carried.

Government Bills and Orders Third Reading

Bill 33

Alberta Investment Attraction Act

(continued)

The Deputy Speaker: Are there any members wishing to join debate? The hon. Member for Edmonton-Castle Downs.

Ms Goehring: Thank you, Madam Speaker. It's my pleasure to rise this morning to speak to Bill 33, Alberta Investment Attraction Act. I think it's very important to say that we absolutely support the attraction of investment to the province of Alberta. That's why, when we were in government, we created Invest Alberta within economic development and trade. Unfortunately, what I'm seeing here is nothing that is going to actually draw investment into the province.

I know, from working with the military over five years, that there are many things that attract people to the province, not just what brings industry and all of the wonderful things that Alberta can offer but what brings the people, what makes someone want to pick up and move to the province. What I've heard from the military across the country is that Alberta had many wonderful things going for it.

One of the main things that people said they appreciated about the province of Alberta was our strong health care system. They knew that when they came to Alberta, they could have access to a doctor, that they could have access to a specialist. Unfortunately, with the current government there's been an attack on our health care system, and I don't believe that individuals would be comfortable bringing their family to a province where it is so unstable.

We have had in the past wonderful supports for children with special needs, for adults with special needs. I know that, in hearing from military families, when they were looking at posting to the province, they would say that they identified that this province had adequate support for their family members, whether it was a child or a dependent adult. They looked to the province of Alberta as being a leader in the country for those types of services, so that would attract people to come to the province of Alberta.

Unfortunately, again, Madam Speaker, this government has gutted special programs that support individuals like PUF funding, PDD, AISH. Those services are no longer available. So when this government is talking about attracting investment, they need to look at the bigger picture, about: what does it mean to be an Albertan? What does it mean to live in this province, raise your family in this province? There are significant gaps in services, glaring concerns that I have heard people are concerned about when they're being posted here. Services that they have previously heard were available are questionable now.

They're coming to a province in a time of absolute uncertainty within the health care system. We have doctors that are indicating that they are fleeing the province because of the attack that they feel from this government. As an individual, people are concerned about packing up and bringing their family here. Would a CEO look at Alberta and say, "Yes, this is where I want to invest. This is where I need to attract my employees to, to give up their life and their community and come to the province of Alberta"? I believe that that is not what's happening. Those are not the conversations that are happening around boardroom tables. They're certainly not the conversations that are going to be happening around kitchen tables when a spouse is advocating to relocate their family to the beautiful province of Alberta.

You look at what is going on here, and it is unstable. It is uncertain. There are so many things that are impacting drawing investment to the province. I would have to say that another piece that I'm hearing loud and clear from the arts community is that the arts community has not been consulted on their Alberta investment attraction plan. I know travel and tourism in the most recent budget identified in their business plan that they wanted to include the ministry of culture to come up with a plan that would support investment, would support travel and tourism in the province. That has not occurred.

When individuals are looking to relocate, they look at so many things about what the province has to offer. Aside from the business being moved there and the profit that would come to that business, it's about what the employees and the families of those employees have to do in the province, and arts and culture are a huge piece of that. When people come, they want to be able to engage in the arts community and in the culture of that province. They want to be able to go to museums. They want to be able to perhaps go to their local Legion and participate. They want to be able to go out and enjoy parks.

These are all areas that are under attack from this government. When we're seeing their failed plan to invest in the province, they have to look beyond just the companies that they're trying to attract. They need to look at the people that work in those companies and organizations that will set up in Alberta and make Alberta home. What kind of schools does Alberta have? What kind of support to education does Alberta have? What kind of arts community is there? I know the city of Edmonton was known as the Festival City. During this pandemic, unfortunately, all over the world we're seeing an impact on arts. We're also seeing all over the world governments stepping up and adequately funding the arts and culture sector. That is not happening in this province. They are not investing any money or any support into our community leagues and into our arts and culture section of this province.

9:10

It is something that we watch the world doing, to make sure that there is that thriving sector in their community that it just makes sense to enhance and support right now in a pandemic. People all over the world are relying on arts and culture to get through this pandemic.

When a business is looking at coming to the province of Alberta and investing here, what can the province say? What are we going to do to support culture for those families that are coming to the province? Unfortunately, it's been cut, and there's a risk of those people leaving. We have film that is packing up, leaving. We've got producers, we've got crews that are all saying to this government: "We want to help. We want to be part of the solution. We want to work on your travel and tourism piece. We want to work on your economic recovery plan."

They've had members of their caucus and their staff simply say: it's not important; this is something that we don't see as being valuable. They had staff from the Premier's office say that it was laughable, and the minister of culture and status of women has not come out and rejected those comments, which is a big concern. I think that when we're looking at Alberta investment attraction, this government needs to take seriously what is happening in the province that would allow companies to want to come and invest here.

With that, Madam Speaker, I will close my comments, and I look forward to the remainder of the debate. Thank you.

The Deputy Speaker: Hon. members, Standing Order 29(2)(a) is available. The hon. Member for Lethbridge-West under Standing Order 29(2)(a)?

Ms Phillips: No. I was going to speak to the bill.

The Deputy Speaker: It's your call. You can speak and have the 29(2)(a).

Okay. No speakers under Standing Order 29(2)(a)?

Any other members wishing to join debate? The hon. Member for Lethbridge-West.

Ms Phillips: Sorry, Madam Speaker. First day on the job, I guess, not realizing that 29(2)(a) is available in this stage of debate as well. I'll just move on from that.

Thank you very much for this opportunity to speak to Bill 33, the Alberta Investment Attraction Act, brought forward by the hon. Minister of Economic Development, Trade and Tourism. Certainly, I appreciate the hon. minister's efforts to bring forward an act that certainly recognizes the outward-facing nature of the Alberta economy. It's certainly an economy that has for its basis the production and export of commodities; that is to say, as is well known, obviously, oil and gas commodities but other mining and mineral activities as well over our province's history in addition to the very important role that primary agricultural production and value-added production have played in the employment and overall economic health of this province.

It is certainly the case that we are one of the provinces that speaks to and engages with the rest of the world, Madam Speaker, in a way that I think the hon. members across the way will agree on. When we go to federal, provincial, and territorial meetings or engage with other Canadians, it becomes immediately very clear to us the extent to which global geopolitics, global capital flows, the general way that things happen outside of our borders, whether those are social, political, or economic changes, have a deep and profound effect on the people of Alberta, on our employment prospects, on our wealth and prosperity, and on the well-being of the people who live here. That was certainly something that struck me, the extent to which we are an outward-facing province and must engage with the rest of the world with respect to our overall economic growth and industrial development and certainly our industrial policies and strategy.

I read the bill with some interest, and I thank the hon. minister for bringing it forward. However, I do believe that there are some significant deficiencies with the bill. I believe that it is quite possible that the minister could perhaps return to this House and return to Albertans a more fulsome plan for investment attraction. I am not sure that the contents of Bill 33 quite fulfill the mandate at this time given, of course, the scale of the challenges.

What we have proposed here in this piece of legislation, should it pass, is a new corporation that will, in fact, in many respects duplicate the job of the Minister of Economic Development, Trade and Tourism, an investment attraction corporation in which we see will be run by a board of government appointees, which, of course, has attracted some degree of criticism and consternation from the public over the last year. Now, this government has a record of what kinds of people that it will appoint to various aspects of public service. Certainly, we have some questions about that, as does the public. That is the first piece.

Duplicating the work of the minister of economic development and trade and the civil service professionals within that department is also a curious undertaking for a group of people who were elected on a mandate, or a promise at least, to reduce this concept of red tape, to reduce this concept of having too many people working for government. To add another layer of people working alongside what people in government are already doing does, I think, raise some significant questions as to appropriate use of public resources, time, and bandwidth. Setting up a provincial corporation or a provincial agency is no small matter if it is to be done properly, if it is to be done in accordance with the normally accepted rules of accountability and transparency. It is actually quite a large undertaking and should be taken with care and due attention to the fact that it is not in fact duplicating the work that is already happening within the professional civil service.

Over the course of our government's mandate we showed that some consolidation of agencies, boards, and commissions was, in

fact, in the public interest, eliminating many of these duplications. When you have a new investment corporation, you need not just another board of directors, as I indicated, which runs the risk of partisan or other cronyism appointees, but you also have, then, another layer of executive leadership team. But you already have executive leadership within your department, so you are then having to duplicate that as well. When you set up a new corporation you are also then having to duplicate many of the normal functions of communications, payroll, human resources, all of those things that are otherwise already subject to the organization of the Alberta public service. There are certainly some duplicated functions not just at the level of the minister but throughout the organization that I think are absolutely fair questions in terms of allocation of scarce resource, particularly at this time. I think overall, Madam Speaker, there is a question here of actual substantive outcomes.

Now, we see that a recovery for the oil and gas sector given the massive shock of the commodity price shock's ongoing challenges with respect to aggregate demand in the global economy and technological changes and so on within the industry will have to involve in some way, shape, or form value-added diversification either in petrochemical upgrading, in partial upgrading, or in other clean tech manufacturing and, ideally, exports. There appears to be very little appetite in the overall policy agenda for those, so an investment attraction corporation without that direction from government may not be able to entirely succeed in attracting that investment.

9:20

Then there's a final piece here, Madam Speaker, that I will flag as a real risk to the success of this investment corporation. You know, if it is not successful, it will simply end up being another example of where a relatively flagship initiative like the Canadian Energy Centre sort of cannot fulfill its mandate because of the direction that it is being given from an overall policy and values perspective. It is tremendously difficult, for example, to attract investment in an overall business climate where the full risks associated with environmental social governance, where the full risks associated with ensuring that the business model is resilient to climate risk and to a low-carbon future – it's tremendously difficult to attract investment in that context. We know, because we've heard from renewables developers and others, that this sort of new brand carried forward by the war room over the last year has not done the province any favours or the province's firms any favours in trying to attract investment into their initiatives here in Alberta.

The same holds true for tech firms, who have spoken publicly about how a decision to relocate is not only predicated upon the existence of various public policy instruments, that is to say the existence of tax credits and so on. An overall new brand over the last year of engaging in separatist rhetoric sympathies, indulging some of the sort of rhetoric of Wexit or other initiatives designed to destabilize Canadian Confederation: it does become enormously difficult under those circumstances to attract investment, and the corporation will in fact be frustrated in its efforts there as well without that overall policy direction of an outward-facing province that is open to the rest of the world, to science, evidence, and the challenges that face us as a pluralistic liberal democracy as part of the Canadian Confederation.

It is certainly the case that an invest Alberta corporation will – there is no question – have some duplicative effect. It is purporting to replace or displace the work that the hon. minister of economic development and trade ought to be trusted to do herself and, I think, further, though, runs the risk of crashing on the rocks of the twin follies of Wexit and climate denial.

Finally, Madam Speaker, I will flag two further risks. One is the immediate reduction of corporate income tax and its effect on attracting investment. We have seen many analyses recently that indicate that that immediate drop of the CIT rate will in fact benefit firms that are already operating within Alberta, less so on investment attraction. I think that is a piece for Albertans to keep an eye on because if the province is going to spend billions of dollars in this way, a reduction to the corporate income tax rate, then Albertans are going to want to see the results of that spending of billions of dollars. That's what foregone revenue is, and as yet that has not materialized and is not in fact predicted to do so.

Finally, Madam Speaker, Invest Alberta will no doubt encounter many difficulties as it moves forward because firms when they are looking to relocate do not just look at the relative CIT and other regulatory burdens, but they also look at their overall costs of health care. I know this because it was something that was brought up to us when Cavendish foods was looking at locating their potato processing facility between one of the Dakotas – I think it was South Dakota – and Alberta.

One of the specific questions I was asked by one of their executives was around – it wasn't necessarily asked, but it was sort of put to us that costs of health care and provision of health care to a skilled workforce was a business cost that more than offset the comparatively lower level of CIT and other forms of business costs and taxation that would have prevailed in one of those Dakotas. I think that's a cost for firms, and it's a piece of work that an investment management corporation cannot necessarily manage in its investment attraction. It is a tone, it is a policy approach, and it is a set of costs that is managed by government. So far we have seen that this government is moving forward with adding to those costs, thereby frustrating some efforts to attract investment.

I will end my remarks, Madam Speaker, on a relatively positive note which is that while I do not believe the invest Alberta corporation is required at this time – and I do believe that the minister of economic development and trade is, in fact, competent to undertake these activities, and they do not need to be spun out of her department – I think that there are many instances in which Albertans are interestingly prepared for the world as it is to come and as it is unfolding around us. In particular, we are well positioned within medical research and many of the technological advances and research and so on and the export thereof. Ensuring that we can attract investment in those ways, I think, should be a part of this government's approach to investment attraction, given the global economic situation in which we find ourselves and the challenge of meeting coronavirus and the research that will be required and indeed then technology and manufacturing and so on that will be required of all of us for years to come.

The second opportunity that I would like to share with the government is around methane abatement. We know that . . .

The Deputy Speaker: Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Mill Woods.

Ms Gray: Thank you very much. I just noted that my colleague was just in the middle of a final thought, and I wondered if she'd like to conclude that thought.

Thank you.

Ms Phillips: Well, thanks. Yes. We have, of course, methane regulations with respect to oil and gas development that are now or are about to be in effect here in Alberta. They create an opportunity, what with the existence of the offset markets and the existence of a great deal of entrepreneurship and oil and gas manufacturing and, quite frankly, just problem solving in the oil and gas space, Madam

Speaker, so I think there are opportunities as the world moves forward after November. I believe November 2 is the date.

There have been commitments articulated south of the border to move forward in the context of the United States in their oil and gas sector around methane abatement. There is a significant opportunity for us to attract investment and to do that manufacturing and to meet those needs, what with the dollar in the position that it is, what with our much stronger workforce due to the existence of workforce stabilizing initiatives in as much as could be achieved through the CERB and the payroll replacement program. We are well positioned there. Again, though, Madam Speaker, I would submit to the government that one does not need another layer of bureaucracy, that this can be well handled within the Alberta civil service and with the leadership of the minister of economic development and trade and her officials.

Thank you.

The Deputy Speaker: Any other members under Standing Order 29(2)(a)?

Seeing none, any other members wishing to speak to the bill? The hon. Member for Edmonton-Mill Woods.

Ms Gray: Thank you very much, Madam Speaker. I rise to seek unanimous consent to move to one-minute bells.

[Unanimous consent granted]

The Deputy Speaker: Any members wishing to speak to the bill? Seeing none, I will call the question.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 9:30 a.m.]

[One minute having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Amery	Lovely	Rowswell
Armstrong-Homeniuk	Luan	Sawhney
Barnes	Madu	Schow
Dreeshen	McIver	Schulz
Getson	Neudorf	Sigurdson, R.J.
Glasgo	Orr	Smith
Hanson	Rehn	Walker
Horner	Reid	Wilson
Jones		

Against the motion:

Deol	Gray	Renaud
Eggen	Phillips	Shepherd
Goehring		

Totals: For – 25 Against – 7

[Motion carried; Bill 33 read a third time]

The Deputy Speaker: The hon. Minister of Transportation.

Mr. McIver: Thank you. I was waiting for all of it. Thank you, Madam Speaker. At this point pursuant to Standing Order 3(1.2) I wish to advise the Assembly that there will be no morning sitting on Tuesday, July 28.

Also, with your permission, Madam Speaker, I move that the Assembly adjourn until 1:30 p.m. on Tuesday, July 28.

[Motion carried; the Assembly adjourned at 9:35 a.m. on Tuesday]

Table of Contents

Government Bills and Orders

Third Reading

Bill 33 Alberta Investment Attraction Act.....	2401, 2485
Division	2488

Committee of the Whole

Bill 32 Restoring Balance in Alberta’s Workplaces Act, 2020	2404, 2475
Division	2485
Bill 30 Health Statutes Amendment Act, 2020.....	2432
Division	2473

Alberta Hansard is available online at www.assembly.ab.ca

For inquiries contact:

Editor

Alberta Hansard

3rd Floor, 9820 – 107 St

EDMONTON, AB T5K 1E7

Telephone: 780.427.1875

E-mail: AlbertaHansard@assembly.ab.ca