



Province of Alberta

The 29th Legislature
Third Session

Alberta Hansard

Thursday morning, November 30, 2017

Day 59

The Honourable Robert E. Wanner, Speaker

Legislative Assembly of Alberta
The 29th Legislature

Third Session

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New Democratic: 54 United Conservative: 26 Alberta Party: 2 Alberta Liberal: 1 Progressive Conservative: 1 Independent: 2 Vacant: 1

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Legislative Assembly of Alberta

9 a.m.

Thursday, November 30, 2017

[Ms Sweet in the chair]

Prayers

The Acting Speaker: Good morning.

Let us each reflect and pray in our own way. May each member of this Legislature maintain a strong and abiding sense of the great responsibility laid upon us. Give us a deep and thorough understanding of the needs of the people we serve. Help us to use this power wisely and well. May we be inspired to reach decisions which establish and maintain a land of prosperity and decency where freedom prevails and where justice rules. Amen.

Please be seated.

Orders of the Day

Government Bills and Orders

Second Reading

Bill 30

An Act to Protect the Health and Well-being of Working Albertans

The Acting Speaker: The hon. Minister of Labour and minister responsible for democratic renewal.

Ms Gray: Thank you very much, Madam Speaker. It is a pleasure to be able to rise to speak to second reading of this important legislation. It was a very good day for Alberta workers when the Assembly passed the Fair and Family-friendly Workplaces Act during the spring session of this past year. That act finally brought Alberta's 30-year-old labour relations and employment standards codes into the 21st century and in line with most of the country. Albertans will no longer lose their jobs if they get sick, if a child needs care, or if they have a death in the family. Workers will no longer have to wait a year to be able to take unpaid leaves or get full use out of employment insurance. But there's still more work to do. Other workers' rights need to be protected in today's workplaces, and that is where Bill 30 comes in.

Madam Speaker, I am very pleased to rise to move Bill 30, An Act to Protect the Health and Well-being of Working Albertans, for second reading.

Alberta's Occupational Health and Safety Act is important legislation. It sets the minimum standards for workplace health and safety and outlines the roles and responsibilities of all work-site parties to keep workers healthy and safe. The OHS Act came into effect in 1976. That was 41 years ago, before Wayne Gretzky was a rookie, before the Internet and cellphones, and two years before the Syncrude mine opened. The OHS Act has not had a comprehensive review since then, but over the last 41 years technology and social growth have changed our workplaces. They are much more diverse. There is more shift work, contract work, and more people working from home. The OHS Act must reflect these realities.

Then there's the Workers' Compensation Act. The last comprehensive review of that act was more than 15 years ago. Kids born back then are in senior high today and are starting to think about their career options. Our kids deserve to graduate into workplaces that are keeping them healthy and safe, and that should apply to all workers here and now. They have every right to expect that they will go home safely at the end of the workday. If people

are injured or get sick on the job, they have a right to get help and get well and get back to work. They have the right to be treated with basic human respect, and that's what Bill 30 will accomplish. It will update both the OHS Act and WCB act to respect workers' rights to a healthy and safe workplace, to proper care and attention for job-related injury and illness, and to be treated with respect, Madam Speaker.

I'm going to speak briefly about Bill 30 and how it will update each of these two long-standing acts to meet these rights, starting with the OHS Act. Hard-working Albertans know that health and safety can affect their lives and the lives of their colleagues and families. These Albertans work at heights of over 15 stories. They work with metals heated to more than a thousand degrees Celsius. They work with complex machinery and hazardous materials. They work at night, in severe weather, and under difficult circumstances every single day. No matter where people work or what work they do, every single one of these Albertans should be able to go home healthy and safe at the end of the day.

Sadly, last year there were more than 44,000 workers who were injured on the job, and 144 workers never made it home. Our most recent full set of data is from 2015. In that year Alberta was number two in the country for the number of workplace fatalities per million working population, and that's an unfortunate record, Madam Speaker. It's a record that Bill 30 is seeking to change. Workplace trauma and tragedies can change survivors' lives forever. They have a lasting effect on families, friends, communities, co-workers, and employers, and what makes workplace incidents even more tragic is that even if they are survived, almost all of them are preventable. They can be prevented with proper precautions, public awareness, training, and effective enforcement of legislation, legislation that is up to date with modern workplaces and practices.

Bill 30 will create a responsive system that can adapt to changing hazards, to better prevent illnesses, injuries, and to support a worker's return to work. Bill 30 does this first by clarifying the roles and responsibilities of everyone in the workplace, employer and worker alike, to ensure everyone's health and safety, each to the extent of their authority and control.

Bill 30 enshrines workers' rights: the right to know about workplace hazards, the right to participate in health and safety through workplace health and safety committees, and the right to refuse unsafe work. The bill would also ensure that workers have the ability to exercise their rights and fulfill their duties under the law without fear of reprisal or threat of reprisal.

In addition, the bill works to ensure our workplaces are free from violence and harassment because workplace violence and harassment are unacceptable, and we all have a role to play in building a safe and respectful workplace.

Bill 30 will also require that OHS laws be reviewed every five years to keep them relevant as workplaces continue to change.

All of these changes do more than bring occupational health and safety laws into the present. They also bring Alberta workplace rights and protections on par with the rest of Canada. That will make it easier and cheaper for employers to do business across the country.

Madam Speaker, a strong system of workplace health and safety programs saves lives, and it also helps businesses save money. When employees feel protected and respected, morale goes up, both performance and profitability increase, and that contributes to a strong economy because our economy does not exist without workers. This legislation protects our workers. Bill 30 will make it mandatory to promote a strong health and safety culture in our workplaces. As legislators we have an obligation to make it happen.

Bill 30 deals with OHS and WCB in the same legislation because the two are so closely related. When workers are injured on the job,

the result is often a WCB claim. In 2016 the WCB accepted more than 44,000 claims. Of those, WCB accepted 144 fatality claims, and in 2015 Alberta had the fourth-highest total number of claims for injuries that resulted in lost time. Still, if a worker does get injured on the job or develops a work-related illness, then the Workers' Compensation Board is supposed to provide the medical and financial supports that person needs to return to work.

Albertans deserve a WCB system that is compassionate, accessible, fair, and easy to navigate. That's hard to do with legislation that had its last comprehensive review more than 15 years ago. Bill 30 makes changes to the WCB Act that will bring workers' compensation into the present and in line with the rest of Canada. These changes will improve existing benefits for surviving spouses and children and for injured workers' retirements. Injured workers will have more choice in selecting health professionals. Employers will continue to provide health benefit programs to injured workers under existing coverage for one year, and while compensation decisions are under review and appeal, employers and workers will be able to apply for interim relief.

Bill 30 also introduces new provisions: presumptive coverage for first responders, which can now be expanded to occupations like those recommended by the panel, correctional officers and emergency medical dispatchers. Coverage for psychological injuries, including posttraumatic stress disorder, will now be more easily available to all occupations.

Employers will have a new obligation to return workers to the job who have suffered work-related injuries and illnesses.

A new independent fair practices office will let people raise concerns and will monitor trends in the workers' compensation system.

The current WCB act caps maximum insurable earnings at \$98,700 per year. Bill 30 will remove that cap, and workers will get fair compensation at 90 per cent of their earnings.

9:10

With Bill 30 workers will see a WCB system that treats them as people instead of a number, that helps them get back to work, and makes sure that they can take care of their families.

Employers will see a WCB system that is effective, sustainable, and has affordable premiums. In fact, Madam Speaker, yesterday the WCB announced the average premium rate will not increase for 2018.

Madam Speaker, the changes in Bill 30 to both the OHS and WCB acts are long overdue and deserve our full support. They are based on thorough reviews and extensive public input. They will better protect workers from injury and illness and also will better support workers if they do get hurt on the job. These changes and Alberta's workers deserve our full support.

I look very much forward to the debate on Bill 30. Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. minister.

Just a reminder to all members of the House, we are currently in second reading, so if we could just make sure we keep the volume down so those speakers can be heard.

Are there any other members wishing to speak to Bill 30? The hon. Member for Cardston-Taber-Warner.

Mr. Hunter: Thank you. Early morning. It's wonderful.

I actually want to preface my remarks by quoting one of the favourite writers of the NDP, Graham Thomson. This was in an article from the 27th of November, so I hadn't actually even had a chance to look at this, so somehow he must have gotten an inside

track on this. I'll just quote to you one of the paragraphs that talks about this. He says:

The title of Bill 30 – An Act to Protect the Health and Well-Being of Working Albertans – says it all. This bill couldn't be more New Democratic if it was printed on union-made paper and included a picture of Tommy Douglas.

Now, after reading that, Madam Speaker, you can understand that on this side of the House we were a little nervous about this bill coming forward, so I preface my remarks with that little trepidation.

I rise in this House today to speak to Bill 30, An Act to Protect the Health and Well-being of Working Albertans. This bill intends to repeal and rewrite the existing Occupational Health and Safety Act and amend the Workers' Compensation Act in a single omnibus bill. As I understand it, the purpose of this bill is to modernize our current OH and S and WCB acts to address various gaps in the legislation that have come to light since they were last reviewed over 16 years ago, and I applaud the government in its initiatives to take these steps in an attempt to make our job sites and places of business safer for employers and employees. Disruptive technologies and innovations have changed the way we do work and do business, so a review was in order.

With that said, this bill includes a number of provisions that will have minor and in some cases massive unintended consequences, something this government seems to be famous for. As we review this bill, we must account for one overarching and fundamental question: how can we make sure Albertans' small, medium, and large businesses continue to operate efficiently while making a maximum effort to maintain the safety of our most valuable resource, the men and women of Alberta's workforce?

Madam Speaker, before my tenure as a member of this distinguished House I was in private business for 20 years, and during that time I learned that you can't put a price tag on sending each worker home safe to their families each and every day. To me these men and women weren't employees; they were mothers and fathers, husbands and wives, sisters, brothers, and, most importantly, my friends. Their well-being was paramount, and without them the business could not have survived. We created a symbiotic relationship that helped all parties.

Based upon the hostile business environment this government has produced, I would venture to say that there are few members on that side who have actually signed the front of a cheque. It's a privilege that is born of hard work and sacrifice. But from personal experience, I can say that it becomes increasingly difficult every time new unnecessary regulations are implemented to keep that symbiotic relationship between employer and employees going.

When I think of red tape as it relates to Bill 30, the implementation of joint work-site health and safety committees and representatives immediately comes to mind. In the previous OH and S Act these committees were only established at the recommendation of the minister. Now they're required for all workplaces with 20 or more employees. It is unclear to me why the government would require such a committee when they have been tested in other provinces and proven to be expensive, ineffective, and, worst of all, fail to make any workplace measurably safer.

In 2004 *Just Labour* published a paper by Aleck Ostry and Annalee Yassi that explained joint health and safety committees in British Columbia. It reads:

Mandatory Joint Health and Safety Committees for workplaces with 20 or more employees were legislated in BC in 1977. Nonetheless, despite the long-term existence of JCs, in the BC healthcare sector in 1998 the injury rate was 54% higher than the average rate for all workers in BC. And, from 1997 to 1999, direct claims costs were \$180 million in BC healthcare.

Now, it's interesting that the minister likes to quote how long ago these acts were changed. In fact, I'm looking forward to finding out which movies were in the '80s here soon. This work that was done in B.C. was done back in 1977, so for them to say that we're bringing it up to where we need to be, unfortunately it's not true. This has been around since 1977 in B.C.

In principle I see the value of these committees as they attempt to engage workers in decisions pertaining to their health and safety, but industry doesn't work in principle; it works in practice. In practice they fail to meet their mandate of reducing workplace accidents and injury. In fact, stakeholders I spoke to on joint committees said that they actually reduce safety because the time and resources put into forming, training, and maintaining these committees takes away from resources needed to buy new safety equipment, conduct training, and inspect the job sites for real dangers.

They also take the burden of care away from everyone on the work site and place it on a committee. This decreases the overall safety of a work site rather than enhancing it. What I mean by this is that these committees meet and talk about safety when they could actually be out on the job site working to improve safety measures. The cost of these JCs cannot be discounted. [interjections]

Now, I know that the members on the other side are laughing about the safety of Albertans, but I can tell you that on this side of the House we do not laugh about the safety of Albertans. [interjections]

The Acting Speaker: You can tell it's Thursday. Can we please respect each other while each other is speaking? We are in second reading. If we could please let the speaker speak. You have times to rebut if you choose to, but for now we'll just listen to the speaker.

Mr. Hunter: Thank you, Madam Speaker. Safety measures sure can be expensive, and joint committees are no exception. All training for committee members is required by this bill to be covered by the employer. Workplace training for employees is usually covered at the expense of the employer, primarily because the knowledge and skills acquired will go to the long-term benefit of the business. However, committee members are entitled to an annual maximum of 16 hours of training at the expense of the employer for a committee that will only reduce workplace efficiency and fail to improve the safety of the workers.

Furthermore, the cost of these courses has not been determined, nor has the amount of travel required to attend them. Who will offer the courses? Will it be only OH and S, or will there be third-party providers who will be allowed to offer these courses? If just OH and S offers the courses, then I would say that this is going to bring in a lot of money into the government coffers. What's stopping the government from increasing the cost of these safety courses, like they have done with the certification courses for EMTs? There are some large companies that would be able to absorb the cost for training committee members; however, small and medium-sized businesses are at a distinct disadvantage, and trying to estimate the overall expense to an employer is unrealistic.

9:20

While this bill contains positive elements, we are concerned that the sweeping and overly ambitious changes to the Workers' Compensation Act will make the system unsustainable. Jeopardizing a positive employment environment is certainly not in the best interests of Alberta workers.

Actuarial firm Eckler, retained by this government, estimated that the additional cost for WCB to implement the changes outlined in this bill will be \$94 million annually; however, this is hard to

believe given the sweeping changes, and an independent actuary has not crunched the numbers.

One area of particular concern is the government's decision to remove the maximum insurable earnings cap of \$98,720.20 per year and increase the minimum permanent total disability payments from \$900 per month to \$1,640.90 per month. This cap allowed WCB to make cost projections based on average annual claims and average payouts; however, without a cap a person making hundreds of thousands of dollars or even millions of dollars would be eligible for massive payouts, and projecting these figures would be nearly impossible. Undoubtedly, premiums would rise and only further increase the burden on employers to cover the difference, especially small and medium-sized businesses. This is most certainly another unintended consequence that this government did not think about.

But it's not all doom and gloom, Madam Speaker. This bill does a good job of outlining the purpose of the OH and S Act and specifically protects a worker's right to comply with the act without fear of reprisal from employers. The current OH and S Act fails to clearly outline its intent whereas Bill 30 states that the purpose is to promote health, safety, and well-being of workers and prevent workplace incidents, illness, injuries, and disease. Bill 30 also includes a worker's right to know about dangerous or unsafe work hazards. This provision is not enshrined in the current OH and S Act. The benefit here is that workers are given an opportunity to be involved in decisions pertaining to workplace safety and OH and S practices.

Under this new legislation all OH and S claim appeals are heard by the Labour Relations Board rather than the existing Occupational Health and Safety Council. The reason given for this was that the board had more resources to deal with appeals than the existing council and can expedite cases quicker. Under the current act all OH and S appeals are handled by the Occupational Health and Safety Council. The council was comprised of industrial personnel. Now the Labour Relations Board will deal with these appeals, putting decisions in the hands of bureaucrats who have little or no industry experience.

We applaud the protection of worker safety but ask for empirical evidence for the change in wording. What is the difference between a right to refuse unsafe work practices versus a duty to refuse them? While Bill 30 removes the burden of proof for WCB claims, the onus is on the employer to prove that an injury was caused by other factors unrelated to the workplace.

Now, it has a section in there that talks about a fair practices office. This is quite a deviation from the way that we did things before. This provides an omnibus-type role for the workers' compensation system where workers and employers can raise their concerns about board process, administration fairness, and conduct code breaches. Fair practices offices have been established in other provinces, like B.C. They are seen as an obstacle to getting a claim addressed, and this is a concern that we have. What data has the government reviewed that indicates there was a need for a fair practices office?

Now, Madam Speaker, I have had the opportunity of being able to look through this bill. It's 150 pages. It is an omnibus bill. They have completely rewritten the Occupational Health and Safety Act, and they have revised the Workers' Compensation Act, and once again I applaud their efforts. The problem is that this government is notorious for the unintended consequences, and I have had very few short days to be able to consult with stakeholders, whether they be businesses, business owners, supervisors, stakeholders, labour organizations. The concerns that I hear from these stakeholders are that this government did not take into consideration those unintended consequences in their consultation process. With that, the problem with this bill – in fact, I imagine this bill will probably

be rammed through this House within a week. A 150-page bill rammed through this House in a week. It's deplorable, what they're trying to do.

I look forward to the opportunity of being able to speak many times to this bill and hope that we have the opportunity to be able to bring forward some reasoned amendments that will allow this bill to be less bad.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to the bill? The hon. Member for Calgary-Fish Creek.

Mr. Gotfried: Thank you, Madam Speaker. I rise today to move an amendment to Bill 30, An Act to Protect the Health and Well-being of Working Albertans. I have the requisite number of copies for the Clerk and member distribution.

The Acting Speaker: Hon. member, if you can just wait until I have the originals, please.

Mr. Gotfried: I will. Thank you.

The Acting Speaker: Hon. member, your amendment will be referred to as REF1. Please continue.

Mr. Gotfried: Thank you, Madam Speaker. I'd like to move that the motion for second reading of Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be amended by deleting all of the words after "that" and substituting the following: Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be not now read a second time but that the subject matter of the bill be referred . . . [interjections]

The Acting Speaker: Members, this is now the third time I've had to ask you to respect the speakers.

Hon. member, please continue.

Mr. Gotfried: Thank you, Madam Speaker. I'll start again: "Bill 30, An Act to Protect the Health and Well-being of Working Albertans be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Alberta's Economic Future in accordance with Standing Order 74.2."

Madam Speaker, once again, here we are in the dying days of session, and the government introduces an extremely large – some might say overarching; others might even say overreaching – omnibus piece of legislation. As a PDF document this bill is 208 pages long, and here we are just beginning to talk about it, appropriately address it, and consult with constituents. We have a weekend ahead of us to do so, with just five days left in our session schedule.

This bill introduces sweeping changes to both the workers' compensation and the occupational health and safety systems in Alberta. These changes impact virtually every single person and business across this province. The impact will be extremely far reaching, and therefore any changes need to be considered carefully and extensively before they are introduced. And, yes, we are all interested in safe and healthy workplaces. All of us.

Taking the time to diligently review, consult, and study huge pieces of legislation like this should not be treated with hostility or derision by this government or the members opposite. We are, after all, all here to put forward the best possible legislation to advance the best interests of Albertans and by extension Alberta's employers, who contribute to the vibrancy, resiliency, and health of our communities and the economy.

If improving a piece of legislation means that it ends up being addressed in a more detailed manner in committee and then passed a few months hence with potential improvements through consultation, albeit slightly later than this government might have originally intended, truly, what difference will that make if the final legislation better meets the needs of Albertans? Strengthening the legislation should be the key objective of debate in this House, and there is no better way to strengthen legislation, particularly of this nature and depth, than by sending it to a focused, all-party committee for scrutiny, improvement, and recommendations. Sending it to a committee allows for robust discussion amongst all parties, including those not on the committee, who are welcome to participate at any time.

9:30

What we have here is a bill drafted by the government, perhaps for the government but really for all Albertans, which they may intend to push down the throats of Albertans, perhaps, in just five sitting days. Madam Speaker, I think Albertans deserve more diligence. Sending it to committee allows for an extremely thorough stakeholder consultation process. We've seen that before. That process is far superior to the process which occurred prior to the introduction of this bill because it would allow for all parties in this Assembly and all Albertans at large to step forward and bring forward the stakeholders that they feel are relevant, not just those consulted to this point. Forcing this legislation through allows the government to avoid possibly talking to people outside of their traditional sphere, big labour, perhaps, while consulting thoroughly with their friends. Again, Albertans deserve better.

Sending a piece of legislation to committee is all about careful, cautious, thorough, and robust consideration of legislation before it is passed into law. Unfortunately, in the last two and a half years the only time a committee has been used to study legislation in this House in order to improve it is when the government backbenchers brought forward unpopular and possibly unnecessary private members' bills which the government needed to deflect negative attention from. Madam Speaker, I've sat on that committee, and we've done a lot of consultation. Some of it has resulted in some great input, but it's certainly informed us as we've gone through the process, and I think that's a valuable exercise.

This would be an excellent opportunity to demonstrate that this government is willing to use the time-honoured nonpartisan committee process where it actually makes sense to do so, to use that committee to do good to bring forth better legislation and to inform this Assembly on how we can achieve that. Workplace safety should be an issue that is not politicized but fully and comprehensively addressed for the betterment of all Albertans. Every Albertan deserves the right to come to work and expect a safe environment so they're able to go home to their families each and every night. No one on any side of this House would ever debate that primary objective. The government can prove that they have no interest in politicizing this issue nor in avoiding the impact, feedback, and concerns of Albertans at large, by sending it to committee. At that stage, a multitude of presenters and stakeholders, both individual and organizational, can be brought into the process to discuss how this legislation will actually impact everyday Albertans and what it will cost Alberta businesses and business owners, both on the employee and employer side.

Further, Madam Speaker, this government has an abysmal track record when it comes to unintended consequences with respect to various pieces of legislation, but I do not have time today to list all of them. Suffice it to say that it includes Bill 6, Bill 17, and many others. In many of these instances bills have been introduced and end up doing the exact opposite of what they were intended to do,

with Bill 1, An Act to Reduce School Fees, being the most glaring example. If in that case, along with many other examples I could cite, the government would have been more considerate, respectful in the introduction of far-reaching legislation and taken the time to actually listen to all stakeholders, they may have been able to prevent the fallout that we continue to see to this day, the unintended consequences that are rife.

There's no way that the government can sit here and pretend that this bill is perfect. In fact, that's why we're here. That's why we debate. That's why we amend. That's why we address legislation. Don't pretend that there are no flaws in this. Madam Speaker, we have an opportunity here to let a committee, an all-party committee, address that and pull in the stakeholders that we need.

Our caucus and the stakeholders that we've spoken to have a number of concerns with the bill as it currently stands, including but not limited to the joint committee training program protocol, the joint committee's cost to employers, the actual effectiveness of the joint committee, the transferring of OHS appeals from the OHS Council to the Labour Relations Board, the expanded authority of OHS officers, the implementation of a new fair practices office, and how the effectiveness of that fair practices office will be measured.

I'm just beginning. That's just the beginning. It's 208 pages long. We're taking time to go through it, and we're talking to many stakeholders now. I think going to committee would allow all of us to do that in a way that actually reflects the needs and the priorities of all Albertans and Alberta employers. I'm sure my hon. colleagues will be able to elaborate further on these points in due course, and I'm sure we will.

But this bill, Madam Speaker, has its issues and deserves greater attention and scrutiny, which can be brought to it via an all-party committee, the Economic Future Committee in this case, which again brings me back to my original point. This legislation has an extremely wide-ranging and far-reaching impact on virtually every single business and person in this province. The Alberta Chambers of Commerce, a well-respected advocacy group which represents businesses in every single riding in this province, has stated that they would like the government to send this bill to committee for further review and analysis. They state, "Taking this step will help identify how employers and employees can best adjust to changes introduced with the new legislation, which are intended to prevent illness and injury in the workplace." Again, no equivocation with respect to what the objectives are. I couldn't agree more with them.

The bill is one of the most far-reaching, perhaps overreaching pieces of legislation we have seen in this session. Both employers and employees need to be allowed the time to properly understand and appreciate how this affects them, what it costs them, how it will impact them, and the possibility of unintended consequences with respect to and as a result of this bill. The government might think they can boil this bill down to a couple of quick talking points, a press conference, and have it just breeze through this Assembly with nary a concern – maybe, invoking past tactics, we might even hear some cult movie references – but that is just not the case. [interjection] *Beetlejuice*, indeed. Albertans deserve better, Madam Speaker.

This bill affects virtually every single employer in this province and virtually every single employee in Alberta. That cannot be overstated. Committee is a perfect place to thoroughly address those concerns. To allow all impacted stakeholders the opportunity to come before that committee and share their concerns, yes, an opportunity for input, consultation, and engagement of those most affected: a novel idea. Is that too much to ask? Madam Speaker, we need to slow down this process, take the time, listen to Albertans – the Alberta Chambers of Commerce, Keep Alberta Working, CFIB, employer and employee associations, unions, private citizens, and

more – and do the right thing by Albertans and send Bill 30 to committee.

I would encourage all members to vote in favour of this referral amendment so that we can do the right things on behalf of our constituents. Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak to 29(2)(a)?

Seeing none, are there any other members wishing to speak to the referral amendment? The hon. Member for Calgary-Klein.

Mr. Coolahan: Thank you, Madam Speaker. I'm not going to spend too much time talking about the referral amendment because I think we need to get it off the table as quickly as possible, but I will say that I find this amendment – we're talking about the amendment, right? [interjections] Okay. You had a puzzled look on your face.

I think this referral amendment is actually insulting to all working Albertans, frankly, because a lot of consultation was done on this. I think they need to accept the fact. What I find insulting about this is that they want to delay safety, they want to delay benefits, and they want to delay solutions that other workers in other provinces have had for many, many years. This is just another example of what they call the Alberta advantage, which is lax labour laws and low benefits and low wages. We're not working on that. We're working on the Alberta advancement, Madam Speaker. If they had their way, they would delay this for another four decades. Four decades. Come on. Alberta workers deserve better.

As I said, I don't want to spend a lot of time on this, but I won't be supporting this at all. We need to move forward. Let's discuss the bill, and let's move forward. Let's protect our workers. There are a lot of great things in here. Actually, the speaker prior to the amendment acknowledged that there are some very positive things in here that they can agree with. We all agree with it, and all Albertans agree with it. Let's move on, let's not support this, and let's pass this bill.

Thank you, Madam Speaker.

9:40

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to 29(2)(a)? The hon. Member for Calgary-Fish Creek.

Mr. Gotfried: Thank you, Madam Speaker. I'd like to ask the member – I'm very interested in his perspective on this – what statistics he has to prove that the other legislation in the other provinces actually contributed to greater safety for employees. You know, we should be focusing on objectives and outcomes when we're talking about workplace safety. We should be talking about the number of incidents. We should be talking about the number of accidents. What have you got to prove that? I'm interested very, very much, and I think it speaks to my amendment, in that we need to know these numbers, we need to understand, and we need to talk to stakeholders about how this is going to improve and help them. We also have to understand the costs of achieving that and actually the results we're going to get from it.

So I'm very interested to hear where your statistics are from, and I'd be very interested to understand what you've compared it to and to see what kind of outcomes you expect with this and how you can give us more information that we might receive from stakeholders if we were to do more consultation.

Mr. Coolahan: Well, one statistic, Madam Speaker, is the fact that we understand that for every dollar spent on safety, three dollars are saved by not having people out of work.

Mr. Gotfried: That's from where?

Mr. Coolahan: That was from an independent actuary cited by the speaker from . . .

Mr. Rosendahl: Cardston-Taber-Warner.

Mr. Coolahan: That place.

It is also my understanding that Alberta has the highest incidence of deaths on the job. There are your statistics, and that's why we need to move forward on this.

Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to 29(2)(a)? The hon. Member for Grande Prairie-Smoky.

Mr. Loewen: Thank you, Madam Speaker. Yes. I guess I was listening to the Member for Calgary-Klein talk. He said that it was insulting to workers to send this to committee to be looked at and have more consultation. Now, he also said that this is delaying safety and delaying benefits. But we're sitting here on November 30. This session started on October 30. Now they bring this 200-page document to us, in the last few days of this session, when they could have brought it forward at the beginning of the session. We could have sent it to committee, we could have looked at it in committee, and we could be sitting here discussing a far better document, that's had more consultation. As it is, they want to get up, and they want to talk about a delay to send us to committee to have more work and to have more consultation.

Now, they said here that they actually had eight round-table discussions. Eight. Wow. This is over a nine-week period. Madam Speaker, I think this government has spent much more time on bills that are much smaller. I bet you they spent much more time and money on the time change bill, and now they're sitting here talking that this is going to delay something.

Well, Madam Speaker, we had an instance last night in a committee where the members in the committee didn't want to spend two hours to listen to people present to them. They turned down an opportunity to listen to stakeholder groups. Two hours. I guess I can see why they don't want this to go to committee because they don't want to do any work in committee. They want to do as little as possible in committee. I guess that's why they don't want this to go to committee. I guess this is all making sense now.

So when we hear them talking about how this is something about delaying something, I mean, obviously they just don't want to do it. A nine-week period. This bill is huge, it's far reaching, it takes into consideration things that haven't been changed in 15 years. They've done all this consultation, eight round-table discussions in a nine-week period, and they can't send this to committee, presumably, I guess, because they don't want to do any work in committee. Last night they couldn't find two hours in the next few months to talk to stakeholders.

Madam Speaker, I just don't understand. They actually said that they had 1,300 . . .

The Acting Speaker: Thank you, hon. member.

Any other members wishing to speak to the referral? The hon. Member for Calgary-Elbow.

Mr. Clark: Thank you very much, Madam Speaker. A little bit of a coffee incident here, but I imagine we'll be fine.

Here's my question or my concern that I have, not so much with the specifics of the bill because it's such a large piece of legislation. The reason I'm going to speak in favour of the referral

motion is not because I question the overall concept of updating critically important legislation with the objective of protecting workers in this province. I would think, I would hope that all members of this House would agree that it is far overdue to update especially the Workers' Compensation Board legislation. It's been an organization that has had its great challenges. I'm sure all of us have many constituents who bring the struggles that they face with workers' compensation to our constituency offices. Now, WCB, I think, has done a reasonable job in adjudicating many of those concerns but by no means all of them, so the idea of creating an effective ombudsman-type model within the WCB on the surface seems like a really, really good idea. I think that's welcome.

I want to be really clear that I'm not questioning the overall merits or the general principle of this bill. What I will say is that the bill that is before us here is of such magnitude and scale. It's larger, I think, than the MGA changes that we saw. It impacts two massive pieces of legislation that have wide-ranging impacts on Alberta workers and wide-ranging impacts on Alberta business. What I would have preferred to see is an approach by this government to this legislation similar to what we saw with the MGA, where significant consultations had been undertaken. I will say that I actually think the consultation process on this legislation was not bad. It was better than on minimum wage, which, as far as I understand it, was probably two meetings with two different groups. That wasn't nearly enough.

The MGA consultation, however, was a long-term, thoughtful, wide-ranging process where many, many, many stakeholders all around the province had an opportunity to come and sit at round-tables, provide feedback and input into the changes they would like to see in the MGA. Then legislation was tabled. Initial relatively minor or generally agreed-to changes were passed through the Legislature. Then legislation was tabled, and there was a long consultation process through the summer where all relevant stakeholders, all Albertans had an opportunity to weigh in on the legislation itself and actually provide feedback on the proposed rules that were going to change.

From that, the legislation itself was amended somewhat. But more to the point than the changes that were made, the stakeholders from all sides felt like the process was a good one. Not everyone at AAMD and C agrees with everything that was changed in the MGA. Not everybody at AUMA agrees with everything that was changed in the MGA. Some wanted it to go further, some thought it went too far, and some felt there were some things missing. That's always going to happen. We're always going to have that type of situation with any legislation in this Assembly.

But when we have changes as far reaching and wide ranging as we're facing here today, I think it would be incumbent on the government to take a long-term, thoughtful process to this because the problem the government faces is one of perception at the very least, the perception that here we are, four and a half days from the end of the Third Session of the 29th Legislature, and we're going to be perceived, if not in reality, to be ramming through hundreds of pages worth of a bill. Now, whether that actually bears out in truth, in reality, we live in a political world. I hope that doesn't come as any great surprise to anybody in this place, right? Imagine that.

This is really a caution to the government or a request to take a thoughtful approach to this. I think we all agree, I hope we all agree that this is a really, really important piece of legislation, and it's really important that we get it right. It's important that we get it right for working Albertans. It's important that we get it right for employers.

9:50

This is going to last for many, many years. If the perception of this bill is that the NDP is bringing in a bill with a title that makes it hard to vote against – because who's not going to stand up for the rights of working Albertans? – and that on the surface looks like it's all about improvements to WCB and worker safety, well, frankly, no one ought to be against those things, and I would argue that no one probably is against those things. But the question is a question of degree and approach and scale.

The reason I think it's important that we do support this referral motion is that we take the time to thoughtfully go through and allow stakeholders from all over the province to provide input into the bill itself, not broad-brush concepts, not online surveys, not an occasional round-table, but the actual legislation itself. Let's let labour and employment lawyers have a look at this. Let's let public unions, the public and private sectors have a look at the bill and actually digest all of the different clauses. Let's let employers and chambers of commerce have a chance to digest the bill and look at it clause by clause.

Let's let our constituents have an opportunity to weigh in. I'd love to do a town hall on this. I'd love to hear what my constituents think. I think we should all try to do those sorts of things on really important legislation. I think that not only does that result in better legislation that better serves the needs of all Albertans, but it helps this government with a perception problem that they're going to have with this bill.

I encourage all members to please support this motion. Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Edmonton-Decore.

Mr. Nielsen: Thank you, Madam Speaker. You know, we've been talking a little bit about the consultation process, and I'm, you know, dismayed at how we seem to minimize what's been done. I just thought we'd clarify here on occupational health and safety, just that, the consultations that occurred there. We've received over 1,300 online surveys. Nearly 90 written submissions were put in through eight in-person round-table discussions with over 200 stakeholders. I'm just kind of curious if maybe some of the members are kind of feeling that those 200 stakeholders and their opinions are not very important. That is just simply for occupational health and safety.

I think when we start talking about the WCB review, Madam Speaker, we're talking about responses of over 1,700 questionnaires, 200 written submissions, 67 workbook responses, and when the panel submitted its report for review, there was over yet another 60 responses to the panel's review. So to say that we're just having one-off consultations here and there is a little bit, I think, demeaning to that process and the folks that happened to participate in that. I think one thing that we must remember over all is that we're talking about a system that hasn't been significantly reviewed at all in over 15 years. Any chance that there might be some organizations and groups and people out there that over the last 15 years have been working on this? Probably a whole lot more than some of the members on the other side have been working on this.

We have another system that hasn't been looked at for an extremely long period of time. I think it's probably pretty safe to say that there are some organizations, some individuals, and some groups that have also been working to move that process along.

I think we just probably want to keep some of those things in mind when we're thinking about this referral motion, and I would certainly suggest that we not support that.

The Acting Speaker: Thank you, hon. member.

The hon. Member for Calgary-Elbow.

Mr. Clark: Thank you very much. You know, I actually want to agree with the hon. Member for Edmonton-Decore. This hasn't been updated in 15 years, in exactly the same way that the MGA, if my dates are correct – and someone may correct me if I'm wrong about this – hadn't been updated since, I think, 1995, and that's actually exactly the point. This is a government that's gone through some really good process, and it's a government that's gone through some perhaps not great process.

You know, one of the challenges and the feedback that we're getting from employers is: "Great. We want updates to this legislation, to both OH and S and WCB. We want to improve safety conditions." Every responsible organization that I've ever worked with, in particular in the energy industry, is laser focused on safety. It's an absolutely urgent imperative for them from a human perspective and from a business perspective. These are really important things in industry in this province. I know that they will welcome many of these changes, and they're certainly onboard and onside with them.

But to table legislation yesterday or earlier this week and give them less than 10 days with the actual bill itself to digest all of those changes, to provide feedback to us in this Assembly just isn't enough time. It really isn't. If this government seeks to make substantial changes to legislation like this, you ought to do it at the very beginning of session and give us a number of weeks to get through it. The perception is that you are dropping it near the end so that we've got to sprint through it, and we don't have time to really get through it because you don't really want to spend the time it takes to actually thoughtfully review the legislation.

Again the Member for Edmonton-Decore is bang on. It hasn't been done in 15 years. Yes, there were round-table processes, and, yes, there were many submissions, hundreds of submissions – absolutely, there were – but that was before we saw the legislation. Now that we've seen the legislation, based on that input, let's have another round, just like we did with the Municipal Government Act. That's a good process. This government should be praised for that good process, and you should take your own example of what good process looks like.

Unfortunately, this is not good process. There is no other way of saying it. We're going to rush this legislation through. We're going to be here late at night. We're going to get fractious. The Speaker will call points of order and call us all to order, as you rightly should. It doesn't have to be this way. It really, really doesn't. I know that everybody wants workers to be safe.

Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to the referral amendment? The hon. Member for Little Bow.

Mr. Schneider: Thank you, Madam Speaker. I rise this morning to speak to the referral amendment on Bill 30, An Act to Protect the Health and Well-being of Working Albertans. Now, this bill significantly amends the OH and S Act and the Workers' Compensation Act; in fact, a major refurbishment of workplace safety rules, certainly. I think that major refurbishment is a reasonable description of what Bill 30 proposes.

Questions that I would have as an Alberta taxpayer, understanding the sheer amount of change that will be required to amend the WCB act and the included huge costs that will be related to those changes, are: has the government determined whether or not such costly changes will make the system unsustainable, and

has there been any work done with regard to any kind of an independent study in that regard? Those are just questions that I would start with, I guess.

I guess I would also suggest that it isn't surprising that such an omnibus bill would show up in the fall legislative session, late in the fall. A flagship bill for each session generally shows up late in session, and not always but quite often they tend to be bills that affect Albertans in a substantial way. This bill does not disappoint. We are told that this bill will fix a broken system. We are told that the measures being proposed in Bill 30 will actually enhance health and safety.

I'm reminiscent of this government ramming through in this Legislature changes to the Labour Relations Code and the Employment Standards Code all at once, monstrous changes to two very labour-related bills. It appears that we're doing it again by proposing changes to both the Workers' Compensation Act and the Occupational Health and Safety Act at the same time. Because of the sheer size of this bill and the size of the acts that the bill proposes to amend, I think it would be safe to say that the government could easily have split this rather large, complex bill into two more manageable separate pieces of legislation. But, as they say, it is what it is.

Yet another small question seems to loom. We talked about this here a moment ago. There were indeed consultations held. That much we know. But critics of those consultations allow that the questions may have been leading. This could lead to another question: in its due diligence to perform some sort of consultation, did the government try to confirm and gain approval for predetermined ideas rather than actually try to listen to what was being said by stakeholders and the public? I looked at the submissions. I didn't look at them all, but I did look at the Alberta Wheat Commission's submission. I suggest the members opposite read that.

10:00

Remember Bill 17, the Fair and Family-friendly Workplaces Act? May I remind everyone that freedom of information documents obtained showed that the government's consultation on workplace laws last spring had a predetermined outcome. This is like déjà vu all over again.

The Acting Speaker: Hon. member, are you speaking to the referral?

Mr. Schneider: I'm speaking to the referral.

The Acting Speaker: Okay. Just clarifying.

Mr. Schneider: I'm getting there, Madam Speaker. [interjection] Would he like to speak to the referral? [interjections]

The Acting Speaker: Hon. members, let's refocus, please. [interjection] Hon. member.

Please continue.

Mr. Schneider: Thank you, Madam Speaker. I appreciate it.

Let's just turn the corner here a little bit to something I found was rather interesting about Bill 30. I received in my inbox yesterday morning an e-mail from the Lethbridge Chamber of Commerce. I receive e-mails from the Lethbridge chamber on almost a daily basis – notices of luncheons and meetings and information on business issues and business accolades and such – a very busy organization. They do good work. However, yesterday morning they actually forwarded an issue-based e-mail from the Alberta Chambers of Commerce. Now, I may be wrong, but I believe the

Alberta Chambers of Commerce would be considered stakeholders of the Alberta government.

The opening comment in the e-mail was:

The Alberta Government has introduced Bill 30, An Act to Protect the Health and Well-being of Working Albertans . . . Bill 30 makes significant changes to the [WCB] and [OHS] standards, which will result in new costs and administrative burdens for employers.

Small business, it appears, is somewhat concerned about the changes that are about to be thrust upon them. They are worried about changes to workplace standards and responsibilities for employers. I should say that I think they have some very good points here that I'd like to share.

As far as hard costs are concerned, the Alberta Chambers are concerned about the fact that

- the cap on maximum insurable earnings through the WCB will be removed. Workers earning more than the cap will now be fully compensated for 90% of their earnings.

They are also concerned that

- WCB claims will now include a \$90,000 fatality benefit.

They are also concerned that

- stop work order[s] may be issued on multiple work sites of an employer [and that]
- when evidence is equal, WCB claim decisions are to be resolved in favor of the worker.

The Alberta Chambers of Commerce is also very much concerned with the speed with which these changes will begin to take effect. The biggest concern is small business, which will have very little time to try to adjust to their new responsibilities and very little time to fine-tune or become well educated as to how to take on and fulfill those responsibilities.

The Alberta Chambers of Commerce contends that the Alberta government has not completed nor provided any kind of economic impact study for Bill 30 on employers and essential industries. They state in their e-mail:

At first estimate, it is anticipated that the changes introduced by this legislation may result in approximately a 10% increase in the total WCB premiums collected from Alberta employers.

Another shot at small business.

Until this legislation came along, Madam Speaker, I had kind of forgotten that this government and their friends at the federal level believe that small-business owners are some kind of wealthy cheats that have been doing their best not to be fair with employees. Small and medium-sized businesses will be especially at risk. They are not nearly as able to absorb what boils down to increased administrative costs, added training costs, and alternative work placements.

If we think about this for a minute, does it not appear to anyone on the other side of the House that money spent by a small or medium-sized business on supporting the new proposed administrative costs may actually take away from those sized businesses the ability to invest in new safety measures and equipment? I mean, as much as you may believe that small and medium-sized businesses have this amazing stash of money somewhere, piling on more administrative costs can start to put some of these guys' bottom lines in jeopardy. There isn't some bottomless pit of money to draw on. It's like death by a thousand cuts. It's simply unfair to pile burden upon burden, expense upon expense onto small and medium-sized Alberta businesses. These are the people you claim to be looking out for, yet every piece of evidence shows that your slant is simply not compatible with independent business. After losing hundreds of thousands of Alberta jobs, this government acts proud in adding 70,000 new jobs. Heck, it's one of their talking points.

Are you going to ask me to get to the referral?

The Acting Speaker: I am going to ask you to please get to the referral, yes.

Mr. Schneider: Okay. This bill is too complex, too burdensome simply to jam it through the House using the NDP majority without taking into account how hard it may impact these businesses, the same businesses that the Alberta Chambers of Commerce are concerned about, the same businesses that provide jobs in towns and cities all across Alberta, the same businesses already impacted by increased costs from the impending carbon tax hike, raises to the minimum wage, and so on. It's economic death by a thousand cuts.

What harm could there be in taking the time to get this right? I don't believe there should be much of an issue with sending this off to committee for further study and comprehensive analysis, as my colleague from Calgary-Fish Creek just proposed. This is the same recommendation that the Alberta Chambers of Commerce proposed in their e-mail yesterday morning. [interjection] The same businesses, yeah.

Every week we hear gut-wrenching stories of long-standing businesses closing their doors because this government has created a climate that makes the challenge of running a business even more difficult. You can only increase the size of the public sector so much to pad your job stats before the bubble bursts. The Alberta Chambers realizes that the government has failed to provide "an economic impact analysis of this legislation on employers and core industries." It is an unfortunate refrain that we've heard time and again from stakeholders. I believe that this government, once again, has failed on this bill, and it will be the fine people of Alberta that pay for this government's follies.

Let's heed the words of my caucus mates and the Alberta Chambers, step back, and send this bill to committee, where it can go through proper vetting. I ask everyone in the House to please support the referral amendment. It seems to me that this is certainly what the Alberta Chambers, a stakeholder of the government, prefers to believe is the right way to do things, and even that little piece of information is enough for me to determine that that's what should happen.

Thank you very much, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Cardston-Taber-Warner.

Mr. Hunter: Thank you, Madam Speaker. I was interested to hear my neighbour to the north, my colleague from Little Bow, speak about the need for an economic impact study. One of the components of an economic impact study talks about that important vetting process of making sure that you've got proper consultation, that you get not just the advice that you're looking for but, actually, advice from both sides so that the legislation can be measured and properly vetted.

From what I understand, there are a little over 160,000 businesses in Alberta. I'd heard a comment made about how robust the consultation process had been. From what I understand, there are 1,300 online survey responses, 90 written submissions and eight in person, round-table discussions, over 200 stakeholders represented there.

But I want to just do some really quick math here to figure out what that does in terms of consultation. I want to ask my esteemed colleague to comment on this. If there were 200 stakeholders that were represented of the 160,000 and some-odd businesses in Alberta, from what I understand, that would be about a 1.25 per cent representation of businesses in Alberta.* Now, when we talk about a robust consultation process, I cannot believe that this government

and the government members on that side would stand here and tell us that that is considered robust, a 1.25 per cent representation of 160,000 businesses in Alberta. Yet that is considered as robust.

Now, one of the concerns that I have about their concept of robust consultation is that they would consider 1.25 per cent to be robust. I'd like to ask the member who spoke to this so eloquently to help this Chamber and, hopefully, the members opposite understand how 1.25 per cent could be considered as a robust consultation.

10:10

The Acting Speaker: The hon. Member for Little Bow.

Mr. Schneider: Thank you, Madam Speaker. Interesting question. I'd have to say that at 1.25 per cent I think this House should be embarrassed. Over a nine-week period we gathered – I don't remember what the stats were, but if it ends up being 1.25 per cent, I think what we're going to find is that when business finally does get a hold of Bill 30 and starts looking this over, we're going to start hearing a lot of issues come forward. It would be nice to have heard more than we have to get our teeth sunk into right now, but I think that before the session starts next week, we should have some more interest from those that are actually going to be affected by this.

I spoke about the Alberta Wheat Commission submission, and this now also affects the legislation that Bill 6 brought forward. I would suggest that they didn't go so far as to say that it was a negative way, but it's just the same as it is to small business, another attack at the bottom line of small business in Alberta.

Yes, I would suggest that 1.25 per cent of 160,000 businesses is a little bit embarrassing. I would suggest that possibly an opportunity to get to committee so that we could hear from 4 per cent of businesses in Alberta would be substantial.

Thank you very much, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak under 29(2)(a)? The hon. Member for Edmonton-Decore.

Mr. Nielsen: Thank you, Madam Speaker. I just wanted to make a quick comment on some of the things here. There was a reference to the actuarial report, which, I'm happy to say, of course, has been done. There were some concerns around the sustainability of the program. It's been set up very specifically to be sustainable. When we talk about supporting our small and medium-sized businesses, the changes that have been proposed here in Bill 30 are changes that are reflective of what's going on across the rest of the country right now, and to the best of my knowledge businesses and whatnot have not folded up.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to the referral? The hon. Member for Calgary-Hays.

Mr. McIver: Well, thank you, Madam Speaker. I appreciate the opportunity to rise and speak to the referral of Bill 30. I'll just kind of try to put what I think is some reasonable perspective on this thing.

This is a substantial bill, and I will say, in fairness, that there are some good things in here, but this is changing the way that every business in Alberta is going to have to operate, so I think it's incumbent upon all of us, on all sides of this House, to be responsible in the way that we deal with this and the way we talk about this. Frankly, when I hear members saying, "If you don't want to pass this today, you are not in a hurry; you want to delay safety for workers; you want to delay workers' rights," I've never heard such a pile of bunk in my life.

*See page 2143, right column, paragraph 12

If it was as immediately life and death as the one hon. member that said those things would have us believe, then the government should have brought this forward two and a half years ago, but they didn't. It would be unfair of me to say that but not any more unfair than what the hon. member said earlier this morning. [interjections]

The Acting Speaker: Hon. members, can we please let the hon. Member for Calgary-Hays speak. Thank you.

Mr. McIver: Thank you, Madam Speaker.

My point is not that either viewpoint is fair. My point is that neither viewpoint is fair and that it's a severely irresponsible and reckless way to talk about a bill that affects so many Albertans. One of my esteemed colleagues said that there are about 160,000 businesses in Alberta. He may be right. I don't know, frankly, whether he's right or wrong or indifferent, but I can tell you that if it's anywhere in the neighbourhood, you know, with 87 ridings, all of us have somewhere probably between, on average, 12,000 or 20,000 businesses in each of our ridings, just using rough numbers and averages.

My point is not to pinpoint the number but, rather, to bring the perspective, Madam Speaker, that that is a lot of people that we are responsible to that we're going to change everything about how they make their living, because people in businesses make their living. They feed their families, they support their communities, and very often they have money left over to donate to charities, nonprofits, and other things that make Alberta better. When you think of it that way – all of us should think that way and think to ourselves that if we're going to change everything about 12,000 to 20,000 people in our riding that we represent, we should probably put a little bit of thought into it and be just a little bit careful that we're not making their lives worse.

Now, the government always says that they make Albertans' lives better, and I'm sure that some of them actually believe that. I would say that on this side I don't think we agree, but that's okay. They're entitled to say that, and they're entitled to think that, but if they actually believe it, that would mean that this would be a good time to get this right, when it affects, on average, 12,000 to 20,000 businesses for each of the 87 of us in this important Legislature.

Before we put their businesses at risk, before we put their livelihoods at risk, before we put their contributions to the betterment of Alberta through the wages that they pay, the money that they earn, their contributions to the betterment of society at risk all at once, one would think that just the sheer enormity of this bill and the sheer enormity of the number of Albertans – I think you could legitimately say that it affects, if not every Albertan, virtually every Albertan because the vast majority of those that don't have a business work for one. Even if you don't have a business or work for one, probably someone you love does either have a business or work for one. I don't think that's much of a stretch. I doubt anyone from any side of the House would argue with me on that. They may, but I'd be surprised, frankly. I just think that they understand that that's intrinsically true.

When you actually look at that perspective, to accuse members of the House of trying to delay safety – in fact, trying not to be accusatory, I would just ask members to think about how careful they ought to be before we bring this forward. Further, you've got to wonder, frankly. I know the government has talked to some people, as pointed out by somebody in here, 1 or 1 and a half per cent of Albertans, but it affects a hundred per cent of people.

It's not just a matter of changing the rules, Madam Speaker. It's a matter of having the businesses understand the rules. It's having them put in a position to obey the rules. Even if they want to obey the rules, first they have to understand it. They have to get access

to what paperwork needs to be filled out. They have to get access to what committees they're going to have to have.

I mean, just look at the index of the bill. It's the obligations of prime contractors, self-employed persons, temporary staff agencies, multiple organizations, service providers, suppliers, workers, supervisors, and employers. I think most of us know what the word "employer" means, but the fact is that it's important that the businesses understand it in the context of the legislation. If somebody says, "Well, you're being silly," well, no. Actually, for many of these things within the legislation there is a definition of these things, which means that the government acknowledges that not everybody will automatically and intrinsically and immediately understand the definition of these terms because the government has taken time – and I think it's a good idea, frankly, that they did – to outline what all these things are.

To think that our hair has to be on fire and we have to pass this in 10 minutes when you're going to have 160,000 Alberta businesses and, by extension, hundreds of thousands or millions, literally, of Alberta jobs depending upon the businesses being able to interpret, act on, and obey this legislation – man, I don't think we ought to hurry. I think it's more important that we get it right than we get it fast.

10:20

You know what? I'm not prepared to say that the government got it wrong. I'm not prepared to say that they got it all right either, and that's exactly the point. Something as big as this ought to be out in the public realm for more than seven days or 10 days before it's passed. When it affects that many people, that many livelihoods, the future of – everybody in this Legislature will have people in their lives that they love that this will affect dramatically. Members of the House may say: well, there are people I know in my life it will affect positively. Great. All the more reason to get it right. If it's going to affect them positively, then it should be out in the public realm long enough so that the businesses can actually know it, understand it, and put those positive effects in place.

I'm prepared to try to believe that there are things in here that will make some people's lives better, but since it's 147 pages and I've only had it in my hands for a couple of days, I'm not prepared to say that I understand it well enough to say that it won't affect some people's lives negatively also. In either case, in the good cases and the bad cases, I think it's prudent, I think it's responsible, I think it's important, and I think it's our duty to get it right. I think it's our duty to make sure that Albertans understand it. Under this dome is a microcosm of this great and diverse province of ours.

You know what? Some large companies may have hot- and cold-running lawyers and accountants and consultants that can roll out a report based on this legislation in a week or 10 days and say: this is what we need to do in our large, big corporation. Great. But even in those large corporations it might take longer. My point is that a lot of the bigger businesses will have resources to apply straight to understanding and obeying this legislation. But what about the flower shop that the couple owns and operates who are maybe working 16 hours a day and barely paying the rent in the strip mall that they're in and barely making enough money to pay their mortgage and their rent at home and barely making enough money after, you know, sometimes 14- and 16-hour days to pay for their kids' tuition or daycare or whatever else it is in their life that they have to pay for? To demand that they instantly have to drop everything and on very short notice put themselves in a position to obey what I will acknowledge is a very important piece of legislation: I just don't think that's fair. I don't think it's reasonable. I don't think it's right.

If the government believes, as I sincerely hope they do, that their legislation is good – we on the other side are not required to believe that their legislation is good because we haven't had it in our hands as long as they have because they have actually created the legislation, so let's hope they believe it's good. But even if they believe it's good, that's all the more reason why the government should support this amendment, should send it to committee for no other reason – hopefully, it would provide opportunities to make what they think is good legislation even better. It might provide opportunities for them to say: "Oh, yeah. Whoops. We thought that was good. It wasn't quite as good as we thought, so it's an opportunity for us to improve it a little bit." I don't think I'm insulting the government in any way in saying this.

More importantly, it will be out in the public realm, hopefully for a few weeks or a few months, so that 162,000 businesses, including that couple running the flower shop that is working 16 hours a day and barely making it, can actually have time to read it, understand it, get some advice on it, and obey it because we all have to obey the law or face the consequences for not obeying the law. I would hate to think that we are going to put all these businesses, big and small, in a position where even if they want to obey the law, they don't have time to because they don't have time to understand it by the time they have to obey it. It's not a one- or two-line change. It's not, you know, that you're going to pay a different tax percentage, one calculation difference and you're off to the races or something of that nature.

This, by the minister's introduction of the bill, changes the fundamental nature of business and work in Alberta. If the government is going to make a change like that, you've got to respect what that does to 4.3 million Albertans. I'm sure there are members on the other side that probably agree with what I'm saying. If you're going to change everything and you think it's good, then maybe you ought to give Albertans a fair amount of time for them to understand just what great work you've done (a) so that they can obey the law, (b) maybe so they can appreciate the current government and what great work they've done if indeed it's as great as they think and hope it is.

To be clear, I haven't given up on that, that there may well be good stuff in here. In fact, from my initial understanding of it I think there are good and not so good things in here, but there are good things in here. That is why I think it's important that you take the time. It's not just one act; it's the Occupational Health and Safety Act and the Workers' Compensation Act.

I'm sure I am not the only Member of the Legislative Assembly who gets a lot of people coming into my office and saying: "I was treated unfairly by the Workers' Compensation Board. I don't agree with their medical assessment. I deserve better coverage because of my injury than what I've got. How do I file an appeal? I don't think I was treated fairly at the appeal." Whatever it is, you know, I'll be surprised if there is any member of this important Legislature that hasn't had people come into their office and do that. Those people need to understand what this legislation means if they either have been injured on the job or there's a chance they could be. The employers need to understand what their obligations are to those employees so that they can meet those obligations.

And it's about time. It's about time. It is about 160,000 businesses, big and small – again, those corner flower shops, those bars and restaurants, the dry cleaners, the oil and gas companies, the private doctors' offices, and every other manner of business that you want to name – with varying degrees of resources, being required to completely change the way that the occupational health and safety codes affect them, to completely change the way the Workers' Compensation Board rules affect them.

I think it's only right, fair, and reasonable for members of this House to say to those Albertans: "We're doing something really important here, and we need you to understand it. We need you to have time to obey what we think is a great piece of legislation. We need your workers to understand what their obligations are." There are millions of workers in Alberta, and there is a section here on the responsibilities of workers. You know what, Madam Speaker? Expecting them to do it in seven or 10 days is not reasonable.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Grande Prairie-Smoky.

Mr. Loewen: Thank you, Madam Speaker. I want to thank my colleague from Calgary-Hays for his comments. He brings up some very, very good points about how this affects small business and the time frame it takes for this implementation.

I just want to read a little bit out of the bill here. It's under Coming into Force.

51(1) Sections 11(1)(a), 12(1)(a), (b) and (d), 26, 27, 28, 35, 38, 42, 44 and 45 come into force on January 1, 2018.

Now, Madam Speaker, we're sitting here, of course, on I believe it's November 30. This session started on October 30. We've had members opposite, particularly Calgary-Klein, suggest, you know, that we can't delay this. This is all about safety and benefits. This can't be delayed. Of course, we've already delayed it a month because we're sitting here on November 30. We started on October 30. It could have been brought into the Legislature right then. Now, this is their argument for not sending this to committee, when we could have had a committee working on this for a month already.

I'd just like hear the Member for Calgary-Hays' thoughts again on this as far as: if this bill does pass, it'll most likely pass here in the first few days of December, maybe by the 5th, 6th, 7th of December. I'd be guessing that's what the government wants to do here.

Now, a good portion of this bill comes into force on January 1, 2018. We have many small businesses, of course, like the member pointed out, that don't have lawyers and accountants and people that are just sitting there waiting for government legislation to show up so that they can figure out how they're going to implement it in their small business.

10:30

Now, these small businesses, these ma-and-pa organizations, will have roughly three weeks through Christmas and New Year's to figure out how they're going to implement a large portion of this bill. I would be interested in hearing how the Member for Calgary-Hays feels that will affect them, how that'll affect these small businesses that have three weeks through the holiday season to figure out how to implement something with so widespread effects as OHS and WCB, basically a total rewrite of these legislations, an omnibus bill that will affect every business in Alberta.

So I would just like him to maybe expand on that and let us know how he feels this will affect the businesses in his constituency.

The Acting Speaker: The hon. Member for Calgary-Hays.

Mr. McIver: Well, thank you, and I appreciate the question from my colleague. I think he makes an important point. Over the next three weeks and month or so over Christmas and even New Year's for some businesses that will be the time when they make all their money for the year if they're in the retail business, so they are working down to dusk. At the end of the day, those poor people – I wish them well because I'm grateful that they're doing some of these jobs and I'm not, and I admire them for doing them – will be

dead on their feet at the end of every day because they will be going into their business during the busiest time of the year. They'll be swarmed with people. They'll try to have a smile on their face though they're dog tired for 12 or sometimes 14 or more hours a day, and then they're going to go home.

If we rush this, they're going to actually think: "Man, how am I not going to be put out of business by the health and safety inspector if I don't do this? I'm too tired to read it, but if I don't read it, I'm out of business, and if I do read it, I won't be on the ball to make my year's sales tomorrow." For another class of businesses, industrial and others, this is some of the time when they actually can give their employees some time off and get some time off themselves, so time is a big issue.

I will say that there are important questions that haven't been answered yet in the legislation, and I think a committee would be a great time to explore some of these things. For example, the actuarial firm Eckler said that these changes in WCB will cost \$94 million annually, yet when we were at the bill briefing, we said: why has the government not paid back the half a billion dollars of WCB overcontributions? We were told by the government's representatives that that was in anticipation of Bill 30, that some of that money might be needed. Now, there might be a very good reason. I'm not at this point casting any aspersions or saying that anything untoward is going on, nothing to that effect, but I am saying that one of the questions that could be answered is: why the difference?

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to the referral? The hon. Member for Cypress-Medicine Hat.

Mr. Barnes: Thank you, Madam Speaker. Good morning. I rise this morning to speak to Bill 30, An Act to Protect the Health and Well-being of Working Albertans, the notice of amendment, the referral from my colleague from Calgary-Fish Creek. Mr. Gotfried moved that the motion for second reading of Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be amended by deleting all the words after "that" and substituting the following:

Bill 30, An Act to Protect the Health and Well-being of Working Albertans, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Alberta's Economic Future in accordance with Standing Order 74.2.

My goodness, what a great opportunity for engaging Albertans, consulting Albertans, reducing unintended consequences of a huge, late omnibus bill and the opportunity to get it right. But, Madam Speaker, as we know, unfortunately this government has a bad habit, a bad habit of introducing their largest and most complex pieces of legislation as close to the end of session as possible and then insisting that the bill move through the Legislature process at 1,300 kilometres per hour. That particular ploy always confounded me. Does the government honestly believe that the opposition members' desire to get back to their constituencies for the winter break is so powerful – so powerful – that we're going to simply let bad legislation become enshrined into law without doing our due diligence, the due diligence that Albertans granted us in the opportunity to represent them within this House? Is that the mentality of the four hon. members of the NDP caucus elected in 2012, when I was first elected? Is that the mentality that the four hon. members had in 2012 when they were in opposition?

Or, Madam Speaker, is it because the government believes that the contents of this bill are so bad that if anyone took the time to read it, the government would actually have to defend its own

legislation? I certainly hope that both are not true. I would be most disappointed, as would the rest of Alberta, I am sure.

But let's be clear. This bill will pass, and it will become law regardless of whether the opposition members want it or not. Quite frankly, Bill 30 will pass and become law regardless of whether the people of Alberta want it or not, which is a much bigger oversight and sin. The government is supported by a majority of the members of the House – and I respect that – but the fact that the government is supported by a majority of the members here does not give the government the moral authority to introduce legislation that doesn't put the best interests of Albertans first.

However, if that's not the reason the government waited so long to introduce Bill 30, then it begs this question: why did the government wait until November 27 to introduce a bill that is over 200 pages long in the Legislature? As stated, we've been here since October 30, the government has passed the two-and-a-half-year mark, and here we are at 1,300 kilometres an hour: got to get this done.

The only other reason why the government would wait over four weeks after session began to introduce this bill is because they hadn't finished writing the bill and they needed that extra month to finish writing it. This many pages of legislation written that quickly needs to be referred to committee, needs to have oversight, needs to ensure that we are protecting Alberta workers, Alberta families, and Alberta communities.

Madam Speaker, I'm not sure which reason is worse – I'm not sure what the government's reason is – that the government is trying to ram legislation through that it knows doesn't put Albertans first, or is it worse that it cannot develop legislation within the schedule that the government itself fully, one hundred per cent, controls? The NDP government fully, one hundred per cent, controls our schedules.

If our government needed more time, it had a number of options it could have used. First, it could have delayed or postponed the start of the fall session until it had all of its legislation completed and ready to be tabled in the Legislature, save the taxpayer a few dollars, allow us to consult better with our constituents around Alberta. They could have done that but didn't.

The NDP government also could have tabled the legislation and then adjourned the debate until the Legislature reconvenes in the spring. Madam Speaker, that is what this same government did with Bill 21, the Modernized Municipal Government Act, in 2016. The previous Municipal Affairs minister tabled the bill near the end of the spring session and then adjourned debate over the summer while she and a number of senior department staff conducted a fairly comprehensive tour across the province. I understand that based on the feedback that she was able to gather from stakeholders, the government developed some amendments to the bill before it was ultimately passed unanimously. Ultimately passed unanimously. They took the time to consult, they took the time to do it right, they took the time to engage the opposition, and it was passed unanimously. The feedback I received from stakeholders on the government's handling of Bill 21 was overwhelmingly positive regardless of whether the stakeholder ultimately agreed with the government's changes or not.

10:40

Thirdly, Madam Speaker, and finally, the government could support my hon. colleague's referral motion, which would result in the bill being referred to the legislative standing committee made up of members of this House, members of this House that could review the bill in fine detail, call witnesses and stakeholders to present their feedback, and ultimately provide recommendations

back to this Legislature, back to cabinet, back to this government based on that feedback.

Madam Speaker, those are three options this government could have used to ensure they present the best possible bill to Albertans.

It's too late to delay or postpone the fall sitting, but, Madam Speaker, there is still time to adjourn debate until the Legislature reconvenes, of course, again in the spring, or the government could support the amendment to refer to committee as brought forward by my hon. colleague from Calgary-Fish Creek. While I would prefer that we adjourn debate, I think referring Bill 30 to committee is fine given the circumstances. What referring Bill 30 to committee allows is for members of this House to dive deeper into the bill and actually work through a lot of the changes, actually work through the changes with Albertans present, with experts present, employers, employees, communities, have the opportunity to minimize the unintended consequences – we can never eliminate them – and get this right.

Madam Speaker, referring the bill to committee would also allow the government more time to make the case as to why certain changes are justified, make the case to Albertan employers and employees who have been under considerable stress in the last two and a half years with taxes rising, regulations going up, a lot of employees being underemployed, our slowdown in our economy, managed or otherwise. It would allow the government more time to make the case as to why certain changes are justified.

Madam Speaker, one such change I would like to see the government justify to the committee is the government's proposal to replace the Occupational Health and Safety Council with the Labour Relations Board as the arbiter of OHS appeals. According to the Labour Relations Board's website About the Board, the

Labour Relations Board is the independent and impartial tribunal responsible for the day-to-day application and interpretation of Alberta's labour laws.

It goes on to say:

The Board consists of a Chair, two full-time Vice-Chairs, three part-time Vice-Chairs, and approximately 28 part-time members. The members are representative of both labour and management, and appointed by the Lieutenant-Governor in Council.

Madam Speaker, the last part is interesting language. The members are representative of both labour and management. The terms "labour" and "management" are not normally together unless referring to a unionized workplace. The common terms when referring to a workplace in general are "employee" and "employer."

Madam Speaker, further on the Labour Relations Board website it says:

Are you looking for information on this website that you cannot find? That may be because The Alberta Labour Relations Board administers the Labour Relations Code dealing with disputes between employers and trade unions (and employees represented by trade unions).

Madam Speaker, I don't understand. Why is the government referring OHS appeals to a body that is specifically designed to handle disputes between unions and employers? I think that there are a lot of Albertans that would like to know that. I think that there are a lot of Albertan employers and employees that are worried about the actions of this government that would like to know that. The last I checked, Alberta's economy was made up of a mixture of union and non-union workplaces. In fact, most Albertans do not belong to a union. According to the government's own statistics Alberta's unionization rate is 23 per cent.

My understanding of OHS rules is that they apply to both union and non-union workplaces. Madam Speaker, is the NDP government claiming that the overwhelming number of OHS appeals stem from unionized workers? I question the validity of that

claim, that unionized workers are more likely to suffer a workplace injury. But if the government is confident, I don't see why they wouldn't welcome the opportunity to justify that to the committee, referred under time, under reason, and under the best information that we can get to do our jobs for Albertans, all the more reason for the government to support my colleague's amendment to refer this bill to committee so it can be properly, extensively reviewed by Albertans and by experts.

A couple of other issues I want to touch on. It's always surprised me in the five and a half years that I've been in here that a bill can completely pass in 48 hours, a one-day break on either side of Committee of the Whole.

The Acting Speaker: You have five minutes.

Mr. Bilous: Time flies.

Mr. Barnes: Yeah. No kidding. Time does fly. Thank you.

I understand that either the vast majority or all government bills in the federal Parliament go to a committee, a committee where Canadians have the opportunity for input, where experts have the opportunity to talk about the unintended consequences, to talk about getting it right, to talk about trying to reach the outcomes, the objectives, what the government is trying to achieve.

Madam Speaker, we know that the government controls the committee, too, by having the majority of members on it, so they have tremendous oversight on who's allowed to talk, the time, the agenda, the end result at the end of the day. But it's one higher level of accountability to Albertans – accountability to Albertans – that at the end of the day you're doing this for the right reasons, not for ideological reasons, not an honest accidental mistake.

This kind of oversight, this kind of second look is crucial when we're dealing with 4.1 million of our friends, our neighbours, Albertans, when we're dealing with communities, when we're dealing with what's been a fragile economy for a short time, when we're dealing with an economy and employers that have seen so much change from this government. Why wouldn't we take the step to get their involvement and to do this right? Madam Speaker, that's another reason why I solidly support my colleague from Calgary-Fish Creek's amendment.

The other reason that's been touched on is the half billion dollar surplus Workers' Compensation has now. I've read and heard that it's because they were getting ready for the uncertainty around the changes that this bill may have.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak to 29(2)(a)? The hon. Member for Cardston-Taber-Warner.

Mr. Hunter: Thank you, Madam Speaker. I rise to correct something that I said earlier. It's a case in point as to why when you do something quickly or hastily, you could be wrong. You know, we're talking about this issue right now, about how we need to send this to committee because it's been put together too hastily. So I want to just point out something. When I talked about how many people had been consulted, 200 of the 160,000 businesses, I said that that equates to about 1.25 per cent. In sober second thought I recognize that it's actually one-tenth of that number.* So it's actually only one-tenth of 1.25 per cent, which makes the case even greater.

What we're dealing with here is not proper consultation. The sample size is very small. I would like to ask the member, again as I asked the Member for Little Bow: what does he think about the sample size that they've used in terms of being able to do consultation?

*See page 2139, left column, paragraph 11

10:50

The Acting Speaker: The hon. Member for Cypress-Medicine Hat.

Mr. Barnes: Thank you. It's minuscule. It's amazing that they think that is full and comprehensive. Thank you to my hon. colleague from Cardston-Taber-Warner for the question because your constituency, like mine, has so many diverse businesses, has so many diverse people out there that create jobs, build wealth, pay taxes. I think of the ones in the family ranches and businesses that have done it for 125 years. Then I think of the new start-ups in technology that are trying to find their way.

You know, I wonder how this will impact charities and not-for-profits. Unfortunately, I believe it was the Parkinson's society in Medicine Hat that just closed their doors citing extra costs because of the minimum wage and carbon tax and those kinds of things. We've just had a couple of restaurants close.

I guess the burden on these people and the burden in trying to get it right – how can 1 per cent, or whatever the number is, convey the different wealth creators that we have in Alberta and the different stresses, the different opportunities? I mean, my goodness, forestry to agriculture. Agriculture all by itself has so many diverse elements, from ranching to irrigation to greenhouses.

Hey, a quick shout-out to Redcliff, Alberta's and Canada's largest greenhouse capital: tremendous hard work and tremendous value-added to what these people have done for Alberta and feeding the world. I mean, they would have a different set of impacts from this legislation than a wheat farm would, and that is one of the reasons that, again, I'm so concerned and so startled that the consultation to this point has been as minimal as it has been.

Again, you know, we just spent large parts of the summer in our constituencies. I don't recall hearing anything about these changes. I don't recall any opportunity to go forward and speak to these. So can you imagine the Alberta business owner who's working 60 or 80 hours a week to provide jobs and provide, you know, taxes for his community, and then on top of that has the burden of extra paperwork, and then on top of that now has the burden of this? My goodness, I couldn't imagine how many of them would have had the opportunity to sort through the layers and layers and the burden and bureaucracy to give their input on this.

You know, that's why this huge bill dropped on our desks here late in the session is – well, it's not surprising. It's happened before. But there is a better way. There is a better way to handle it. That's why I'm asking all my colleagues in this House, on both sides, to accept the motion from my colleague from Calgary-Fish Creek and send this to committee, where we can make it the best possible law for all Albertans.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to the referral amendment? The hon. Member for Barrhead-Morinville-Westlock.

Mr. van Dijken: Thank you, Madam Speaker.

The Acting Speaker: Just to be clear, you haven't spoken to the referral yet, right?

Mr. van Dijken: I have not.

The Acting Speaker: Just 29(2)(a). Okay. Thank you.

Mr. van Dijken: Thank you, Madam Speaker. I rise to express my opposition to Bill 30, An Act to Protect the Health and Well-being of Working Albertans as it is in its current form. I will support this motion to refer Bill 30 to committee. I should be clear that the goal of ensuring that hard-working Albertans are safe and healthy in

their working environments is one that I and undoubtedly all members of this Assembly do support.

My opposition is to the way this bill makes broad and sweeping changes to the existing legislation without regard for the potential cost to taxpayers and the additional burdens that will be placed on Alberta businesses. In a climate where deficit spending runs rampant and our small, medium, and large businesses already face excessive regulation, these are not concerns that the government can simply throw aside in pursuit of its ideologically driven agenda, trying to ram through Bill 30 in just a few days.

Should we look at updating occupational health and safety legislation? Absolutely. Should we seek to improve WCB? Yes. However, any potential legislation must ensure that in doing these things, it helps Albertans rather than creating more economic and fiscal problems for our province. Madam Speaker, since this government came to office, Alberta has lost its reputation of being one of the best jurisdictions in which to do business in all of North America. In part this is because of reckless legislation that has been passed to satisfy partisan and special interests rather than to effectively serve Albertans.

One of my motivations to speak against this bill now is because it is incumbent upon me and it is incumbent upon this Assembly to stand up for ordinary Albertans, who expect us to be thoughtful and deliberative in our work, making sure that any legislation we pass serves the interests of Albertans and does nothing to worsen the economic problems that they face. In doing consultation for this bill, we saw an all too familiar strategy for this government. They asked their questions to precipitate the answers they wanted to hear. Alberta workers and employers deserve real consultation, not stage theatrics. Real consultation would mean going back to committee. It would mean going back to Albertans and asking them what they think without any preconditions.

Madam Speaker, the government seems to be only interested in rushing this bill through the Legislature before the end of this session. To produce good results for those we represent, the government needs to slow down to make sure we get these issues right. Ideally, these kinds of changes would come as several pieces of legislation, allowing proper scrutiny and debate on each individual issue that is addressed. At the very least there should be some substantive consideration of amendments. We need to make sure that each issue to be addressed by the legislation is in need of change and that any changes being made are supported by evidence showing that they are likely to produce the desired result. I don't see any indication that the government intends to support this kind of legislative scrutiny that Albertans deserve from their elected officials.

One issue I would like to see particular scrutiny of is the matter of joint work-site health and safety committees. This bill proposes to make these committees mandatory for any employer with 20 or more people working for them. Under the existing legislation these committees can already be mandated by the minister based on individual circumstances, or they can be formed voluntarily by workers and employers who think they are necessary to their unique situations. These existing rules allow for flexibility, and they allow for the formation of effective joint committees where there is specific need or merit. Unfortunately, as usual this government seeks to impose a top-down, government-knows-best approach without regard to the necessity and without consideration of the wants and needs of workers and employers on any particular work site.

It is legislative changes like this that make Albertans wonder if this government is prioritizing the needs of ordinary working Albertans or if they are more worried about the priorities of big labour and the union bosses who have been clamouring for these

kinds of changes for years. I don't know about the members opposite, but I have yet to hear from a single constituent, a single ordinary working Albertan who is extremely concerned about the lack of mandatory, bureaucratic, government-imposed joint work-site health and safety committees in Alberta. My guess is because the people of this province want their elected officials focusing on fixing problems with common-sense legislation, not looking for opportunities to insist on more government interference in an area where there is seemingly little cause to do so.

11:00

Now, this is about more than the government telling workers and employers what to do; it's also about needlessly imposing new costs on businesses which, in too many cases, are struggling to get by in Alberta at this present time. The costs that the imposition of these committees would impose potentially takes money away from hiring more Albertans or providing other training to existing employees, which could in many cases provide more effective improvements to workplace safety.

There are many areas in which mandating these committees will cause additional costs, but is it worth going through them? First, we should recognize what the impact of lost time will be on employers. Every hour that is spent working on committees is time that cannot be spent engaging in productive economic activity. We must also observe that the employer is required to pay salary for the time that workers spend on committee duties away from their normal work and responsibilities. One must also consider the costs of training. Not only will there be the costs of the training itself, but in many instances there could be costs for travel and other associated expenses.

Madam Speaker, yet another point we must consider is the direct costs of implementation for proposals brought forward by these committees. These have the potential to be significant and numerous. Something else to be mindful of is that the cost of running and administering such committees is bound to hit small and medium-sized businesses the hardest. These businesses are integral to our communities and the backbone of our economy. Large corporations can more easily absorb costs like these, but smaller local businesses tend to have less room to work with new costs imposed on them. For those kinds of businesses, these changes could mean not hiring an out-of-work Albertan, or it could mean laying another one off. Frankly, I believe it is sad that when Alberta's small-business owners are already under attack from the Trudeau government in Ottawa, this government not only refuses to stand up against those changes, but it also finds further costs to impose.

This area is a critical example of why this bill needs further consultation and why it needs to go back to committee for further review. The government needs to go out and speak with hard-working small-business owners in our province and listen to what the individual impacts could be. Let's get a frank assessment of the costs, the burdens they will impose on business, and then ask the government to justify why these mandatory joint committees are necessary.

Madam Speaker, you have now heard me speak about why I cannot support this bill. We have gone through the changes the government wants to make in regard to imposing joint work-site health and safety committees rather than leaving the flexibility of the current legislation. I have also spoken about the costs that these changes will create for Alberta businesses. What is now important to address is whether or not there is actually any evidence that these proposed changes would have the desired effect of improving health and safety in the workplace.

In looking to other jurisdictions which have imposed mandatory joint committees on their workers and employers, we can find examples of the results that this part of the bill might elicit if it were to become law. One example is the province of Ontario, which imposed similar committees on certain industries beginning in the 1970s. The results of one study in Ontario led to the conclusion that the result does not lend itself to supporting the view that reductions in serious accidents have resulted from the legislation. In regard to the conclusion by some that joint health and safety committees led to a reduction of injury rates in Ontario, a 1994 report says that the statistical evidence for that conclusion is less than overwhelming.

Another study of relevant data, from the United States, was unable to find a significant correlation between the existence of a committee and the number of Occupational Health and Safety Act complaints or the level of hazardous workplaces as measured by OSHA.

I could go on with numerous other examples, but I believe the House understands that the facts demonstrate that these kinds of changes have produced unclear results at best. There is some speculation from multiple sources as to why mandatory joint health and safety committees do not have a strong record of producing the desired results.

One observation made in relation to similar legislation in Ontario says the following: simply mandating committees is unlikely to have much effect at workplaces where the internal responsibility system and the comanagement of health and safety matters is not embraced by both management and/or labour.

What is referred to as the internal responsibility system is the idea of comanagement of health and safety by both employers and workers. This idea underpins the concept of joint health and safety committees. What this and other observations are saying is that a top-down government imposition of these committees has little inherent benefit in itself. Rather, they are saying that successful examples of joint committees are characterized by situations where they have engagement and buy-in from both employers and workers.

Now, Madam Speaker, if the government believes it can universally legislate engagement and buy-in, more rethinking is needed than I had initially expected. Otherwise, the government should take this opportunity to listen to opposition members and support my colleague's referral motion so we can take this back to committee and look for a more evidence-based plan to improve workplace health and safety.

While we are talking about potential effectiveness of committees, it is also worth while to talk about training once more. Other than the identification of engagement and buy-in from workers and employers as a key factor, studies also identify training as important to whether or not any individual committee can be a success. The bill is vague on many details of training that would be required for success of joint health and safety committees.

Should the government intend to move forward with this bill, the establishment of mandatory committees would create a significant demand. So the questions are: who would provide these training services? Would the government do it? What training would be provided? Would all industries participate in the same training programs, or would they be individually tailored?

It seems that these questions inevitably lead to more questions. Does the government genuinely believe that it can either create effective health and safety training for industry in general or for all industries separately? Further, does the government believe that it knows how to better run health and safety than the employers and workers who practise it every day in their respective fields?

The government has a responsibility to address these kinds of questions and lay out a comprehensive plan for training prior to

moving forward with these substantive changes. Surely, we will not see this government repeat the mistakes of their past legislation where they told businesses that they would be further regulated but refused to detail specifics before ramming the relevant bill through the Legislature.

Madam Speaker, I hate to sound like a broken record, but I would once again encourage the government to take a step back, to slow down, to support the referral motion, and send this bill to committee for proper consultation.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Bonnyville-Cold Lake.

Mr. Cyr: Thank you, Madam Speaker. I have to say that my colleague does put out a very strong case on why a referral motion is needed here. I know that, for myself, I've seen our side put forward referral motions several times now, saying: let's move this away from rushed legislation, where we make errors, to a place where we can actually put forward legislation that is complete, where we have that time to discuss this in the House. A lot of times it comes down to discussing it in a committee setting before we can move forward.

11:10

Now, I can't imagine a more important piece of legislation than protecting our workers. I really can't. There are others – don't get me wrong – that we can quote and say are very, very important, but really, when we start looking at making sure that those that get harmed or potentially could be harmed have a mechanism to be able to get the help they need to be able to have a life that any one of us would want, how exactly is it okay that we have a government pushing this through so fast?

Now, I will tell you that when we see the bill before us here, the question is always that this bill is so thick – I'm looking through the bill here. You start looking at this bill, and it's actually quite a lot of information to get through. You see that this bill just hit the table on Monday, and we're already in second reading, and in going through this large a bill, this important bill, we do not have the time to be able to get the quality conversations that we need. I cannot actually get out to my constituents to even discuss this bill because I have been in the House since Monday. That's the lunacy of how fast this process is going. It's there Monday. We're sitting in the House.

But you know what? My colleague will convince you more on why this is so much more important than just, I guess, throwing it through and hoping that we hit the right target. My question is: could you please explain why a referral is so important?

The Acting Speaker: The hon. Member for Barrhead-Morinville-Westlock.

Mr. van Dijken: Thank you, Madam Speaker, and thank you to my colleague from Bonnyville-Cold Lake. You know, I'm highlighting just one portion of this very large bill, one aspect of it, that needs to have proper consideration. There are many more – many more – but to have the proper time that we need to properly review this bill and to consult with stakeholders is important.

I would like to reiterate a few general points. All of us in this House know the importance of workplace health and safety. All of us want to make sure that when needed, the relevant legislation is reviewed and updated. What we should not want is legislation that is pushed forward without demonstrating a need. We should also seek to ensure that legislation is not rushed through this place in order to meet a government deadline. Bills that are passed by this

Assembly should be well thought out, backed up by evidence, carefully reviewed, and properly deliberated. They should take into account all the potential impacts, and they should seek to serve the interests of Albertans rather than serve special interests and partisan purposes.

It is for these reasons and for those I have addressed throughout this speech that I cannot support this bill as it stands. Again, I ask that it be referred to committee so that improvements can be made and so that this Assembly can hear from Albertans on some of the unintended consequences that are potentially coming from this bill, unnecessary costs for one thing.

You know, I've highlighted the joint health and safety committees because I do believe that there is some flexibility that is necessary in order to ensure that these joint health and safety committees are effective. To just mandate a joint health and safety committee does not create an effective joint health and safety committee, and to think that we can just legislate it and that all of a sudden there's buy-in, in my opinion, is nearsighted.

The Acting Speaker: Thank you, hon. member.

Is there any other member wishing to speak to the referral amendment? Hon. Member for Grande Prairie-Smoky, have you spoken to the amendment?

Mr. Loewen: No. Only under 29(2)(a).

The Acting Speaker: Just under 29(2)(a)? Okay. Please go ahead.

Mr. Loewen: Thank you, Madam Speaker. I rise to speak to the motion on Bill 30, An Act to Protect the Health and Well-being of Working Albertans, to refer Bill 30 to committee for study. This bill is over 200 pages. The NDP could have brought this bill before the Legislature at the end of October to allow time for proper scrutiny, debate, contact with stakeholders, and gently brought the bill along in the House for debate, a speech here, a speech there. Instead, the NDP brought this bill here at the end of November.

[The Deputy Speaker in the chair]

There is an incredible amount of material here that needs to be gone through, and it would only be prudent for a committee of the Assembly to study this bill and bring it back with the appropriate amendments if found required. With a bill like this, that affects all working Albertans and their employers, we need to be able to hear from both groups to understand what the implications of this bill mean for them.

Now, Bill 30 wants to add mandatory joint work-site health and safety committees and health and safety representatives. Safety is a culture. As much as we may try to legislate a nanny state culture, we can miss the mark. Bill 30 proposes to make these committees mandatory for any employer with 20 or more people working for them. Setting up joint work-site health and safety committees, while a good idea for large employers, can be a significant burden on many smaller businesses. Twenty people isn't that many, and it is these enterprises that make up most of the workforce here in Alberta.

These committees need to be resourced by the employer. This means that resources will get taken away from other areas, possibly even from actual safety training programs for the employees if the employers allocate a certain amount of their budget to work safety. Under current legislation these committees can already exist, and many of these companies already have these committees set up or maybe informally have them set up. Either the minister can order them into existence, or they can be formed voluntarily by workers and employers. I think it's far more effective to have this done

voluntarily. But the NDP thinks they know what's best for everyone across the board. They don't seem to recognize the uniqueness of each individual workplace.

Yes, there will be costs, costs for Alberta businesses that are already struggling. Many have closed already. How many small businesses have we lost in the last two and a half years? Many small businesses have gone broke under this government.

If the NDP government is very excited about these joint work-site health and safety committees and touts their value, then I would like them to also recognize the value of legislative committees examining complex pieces of legislation and to support this motion. You see, on one hand, they suggest that the companies have committees and make them work, but these committees we have in the Legislature: they don't seem to want to use them. They don't seem to want to work in them.

Madam Speaker, I'm also concerned that we haven't talked much yet about the new information-sharing provisions in this bill. A lot of people don't have any say in whether they are part of WCB or OHS, and their personal data goes to them. Now we have this information sharing that we haven't had time to look at, to discuss, to try to find out what kind of ramifications, what kind of unintended consequences could happen. In this day and age privacy is a concern for many people. It's one of the greatest concerns out there for many people that worry about their privacy and losing their personal information. We hear every day of large organizations being hacked for personal data. So we need to hear more about the provisions for expanding information sharing to more agencies and organizations. What types of agencies will these be? These are questions that we need to have answered.

As you can see, Madam Speaker, there are all kinds of reasons why this needs to go to committee. This needs to be looked at more carefully. We need to have more input. Many concerns and questions have been brought up by my colleagues in addition to my reservations about the joint committees and information-sharing provisions. There have been lots of things that have been brought up here this morning that are concerning, concerning to Albertans, concerning to the members on this side of the House, answers that we would like to have.

11:20

I think Albertans deserve those answers, Madam Speaker. They deserve to know how this legislation is going to affect their lives, how it's going to affect the small-business owners, how it's going to affect the small-business managers, how it's going to affect the employees of small businesses. In fact, this affects, of course, not only small business but medium-sized business, large business. It affects government, government agencies. It affects every worker in Alberta.

I think that that is very important to realize, how this can affect every worker in Alberta and why it's so important that we take just a little more time, time that we could have taken in the last month had the government brought this forward in legislation at the end of October. Instead, we're sitting here at the end of our legislative session, and the government has brought through the biggest piece of legislation so far, the most far reaching, legislation that will affect more people. They've brought it in at the end, and I don't think that's fair to Albertans.

Albertans rely on us in this Legislature to look at these bills that come before us and decide whether they are going to help, hurt, or whether there's any way that we can improve this legislation. That's our job here. That's what we do. We have committees for a reason. Committees don't just exist so we can get together three, four, five times a year and look at each other across the room. There's work that has to be done in those committees, and it's important work.

It's work that can make legislation better. There can be things that come forward in a committee that nobody thought of before, when this legislation was being drafted. I know there are intelligent people that draft this legislation. I know they're trying to think of all the different angles and all the different things that could come up, but nobody's perfect.

What this does is allow that second thought, you know, for people to come forward to present to the committee, that can think of the different angles and the different things that could come into effect because of this legislation. Obviously, there are a lot of potentially positive changes that we could discuss how we could make them even better. I urge the NDP to support this motion so that we can learn more and do our due diligence here.

Now, Madam Speaker, again, this is a 200-page bill. It's a rewrite of occupational health and safety. WCB hasn't been looked at in 15 years. All of a sudden this government has come forward with this legislation, and it's going to, I guess, fix all the problems at WCB that have developed over the last 15 years. I would think that something so big and so important would be worth a little extra scrutiny. This is omnibus legislation. This is big. It covers a lot of different things. Again, it affects every business in Alberta. It affects every worker in Alberta. If this is all about safety, then we owe it to Albertans to make this legislation the best we can. We're not suggesting that this bill be scrapped. Right now we're just asking for it to go to committee. That's all we're talking about here today, to have this go to committee.

Now, we've seen in the past where this government has had problems with unintended consequences. We look at how they worked with the electrical act and how they passed one bill, and then they passed three or four more bills to correct the problems that the first bill created, all sorts of lawsuits and everything. Those are some unintended consequences that, had the government listened, could have been avoided. We've also seen examples of poor consultation, and we've seen examples of fairly good consultation. Look at the MGA: the bill was actually introduced in the Legislature, and then months of consultation. But we also have examples like Bill 6, where the government just all of a sudden plopped it down and rammed it through without proper consultation, virtually no consultation.

Now, I know they've talked about the 1,300 online survey responses to this bill while they were preparing for this bill, but the Member for Edmonton-South West brought forward a bill here some time ago regarding the time change, and he had over 30,000 responses. We have safety legislation, wide-reaching safety legislation: 1,300 responses. And the government's touting that as being fantastic.

Mr. Cyr: In nine weeks.

Mr. Loewen: In only nine weeks.

Then we have the time change legislation with 30,000 responses. Now, we know that with the time change, they travelled all across Alberta collecting input from Albertans. They took a lot of time to deal with the time change. What happened with the time change bill? The government sent it to committee even after all that. They sent it to committee. We have examples where this government has used committees, has done consultation and still sent it to committee. So I would like to suggest that this is what we need to do here. This needs to go to committee.

Well, I guess what I want to go on to now is that they've had this time, they've done this nine-week consultation period – that's what they've said they've done – they've had these different responses, and they've had eight round-table discussions, and everything. They talked to 200 people in these round-table discussions. Again,

they had the 1,300 online survey responses. The Grande Prairie Chamber of Commerce has about 1,300 members. That's one chamber of commerce. That's not every small business in Grande Prairie. Those are the ones that have joined the chamber of commerce. Obviously, Grande Prairie isn't the largest city in Alberta. So when we look at this kind of consultation, I don't know that we can say that we're setting any records here or doing any really great consultation.

One thing we know for sure is that none of these people that have been consulted with have been consulted on this bill because this bill just came to us here two days ago or a day ago, whenever it came. They haven't seen this bill until now. Now is when they can actually have some input on this bill.

Now, we talked already about how it comes into force and how a good portion of it will come into force on January 1, 2018. By the time this bill passes in the Legislature, that will give these businesses roughly three weeks through the holiday season, through Christmas and New Year's, to decide how they are going to implement all these changes in their business. The small businesses don't have people just sitting there waiting for government legislation to show up so that they can say: okay; you know, what are we going to do with this? They don't have a large staff that they can do this with, but they're still going to be responsible, by January 1, to be living by this legislation.

Mr. Cyr: Through the holiday season, too.

Mr. Loewen: Through the holiday season. This is the busiest time of year for some of these businesses.

So I think it's unfair to the businesses of Alberta, the people of Alberta to not have this kind of opportunity to have this go to committee and to be able to have their input. I think it only stands to reason that we send this to committee and have this looked at properly.

11:30

The Deputy Speaker: Under Standing Order 29(2)(a)? Bonnyville-Cold Lake.

Mr. Cyr: Yes. I found that enlightening. Now, it's not just the retail sector that my colleague is talking about. When we're talking about the holiday season, we have all of the children being off. We have all of the companies short-staffed at this point because of vacations around the Christmas holiday season. Do you think it's reasonable that no matter what size the business, whether it's small, medium, or large, they will have the staffing requirements to be able to do this? The government, from what I understand the member is saying, is literally asking people to sacrifice their Christmas season to implement this legislation. Would you mind commenting on that?

The Deputy Speaker: The Member for Grande Prairie-Smoky.

Mr. Loewen: Thank you. Yes, of course I believe it's very unfair. This is not the time of year to be doing this to businesses. On the time alone – I mean, three weeks – even if it wasn't Christmastime, even if it wasn't the holiday season, even if it wasn't the busiest time of year for some of these businesses, three weeks to go through something as big as this, 200 pages, and decide how the portions will start affecting them on January 1? Of course, there are other sections that come into force on April 1, so three months down the road they'll be looking at more legislation that comes into effect to try to figure out how that's going to affect their business and how they're going to respond. So, no, I don't think this is fair, and I don't think this is what the people of Alberta want or need at this time.

I think there are a lot of good things in this legislation, I'm sure, but this should have been done properly. It should have been brought in a month ago. They had all the opportunity in the world to do that. This should go to committee. We should be in committee right now reviewing this.

Now, I just want to go back to what the Member for Calgary-Klein said, that we're delaying safety and benefits and kind of an insinuation that we on this side of the House don't care about the safety of the people of Alberta. That is absolutely wrong. What I do want to do is read from the Alberta Chambers of Commerce. They say here:

If Bill 30 is passed this legislative session, the ACC is concerned with the speed changes will begin to take effect. Business, particularly small business, will have very little time to adjust or even be effectively educated on how to take on and fulfill their new responsibilities.

So this isn't me. I just said something very similar, but this is the Alberta Chambers of Commerce.

It says:

The ACC has recommended that the Alberta Government send Bill 30 to a committee . . .

Go figure. The Alberta Chambers of Commerce is suggesting the same thing we are, that this should go to committee.

. . . for further review and analysis following First and Second Reading. Taking this step will help identify how employers and employees can best adjust to changes introduced with the new legislation, which are intended to prevent illness and injury in the workplace.

Now, it also goes on to say:

WCB premium surpluses collected from employers in 2016 are approximately 350 Million.

Actually, before I get into the money part of it here, because I don't have that much time, I just want to point out that it's like the ACC is suggesting that this go to committee for further review. Now, if the members opposite want to suggest that we on this side of the House don't care about the safety of the people of Alberta, then obviously they're suggesting that the Alberta Chambers of Commerce don't care about the safety of Albertans either, and I think that's absolutely bizarre. I don't even know how to describe, without getting into any more colourful language, that this government would suggest that we on this side and the Alberta Chambers of Commerce don't care about safety. I know for a fact that that is wrong – that is wrong – and to insinuate anything of the sort I think is very, very disrespectful.

Like I say, if this was such a great concern for the government, they had all the opportunity in the world to bring it forward a month ago. They've been in power for two and a half years, but they waited till two and a half years into their term, till we're at the very end of this session, and then they're going to ram this legislation through without proper consultation. Like I say, the Alberta Chambers of Commerce are just seeing this for the first time, too. Everybody is just trying to react to this.

The Deputy Speaker: Any further speakers to the referral motion? The hon. Member for Bonnyville-Cold Lake.

Mr. Cyr: Thank you, Madam Speaker. I appreciate the opportunity to speak to this referral motion. Now, the same e-mail that my colleague was talking about, from the Alberta Chambers of Commerce, had a link to a technical briefing on Bill 30, An Act to Protect the Health and Well-being of Working Albertans, November 27, 2017. It says, "Confidential – Embargoed Material." At 61 pages this is literally the short version of the bill. This is quite the piece of literature that the Alberta government came out with.

But you know what? I have to say that at least they have a copy of something that we can utilize and look through.

I am more or less putting forward some of the points that are in this, and I will be referring to this document, probably, through a lot of my speeches because I think that it shows where the government of Alberta is standing on a lot of topics.

Now, what we have here is a document that is clear that they've done their due diligence when it comes to consulting. It says:

Consultation Summary

- A comprehensive review of Alberta's OHS system was undertaken in 2017
 - The themes of the review were:
 - Clarifying responsibilities of worksite parties in legislation
 - Improving worker engagement in OHS
 - A renewed focus on illness and injury prevention.

The themes of the review didn't include employers. That seems incredible here, that we've got clarifying of the legislation, we've got worker engagement, and we've got injury prevention, but we didn't actually include the employers in this part of it. That's bizarre, and this is in their technical briefing.

Now, we also didn't include all of the different industries in this. It's not just the employers, but we didn't include the different industry bodies in this as well. It goes on to say:

- Received input from Albertans over a [wonderful] . . .

It doesn't say the word "wonderful," but it should.

. . . [stunning] nine-week period.

We're supposed to get this right with nine weeks of consultation?

Now, then, what we've got here – and this is something that the government is bragging up – are accomplishments.

- Over 1,300 online [surveys].

Yes.

- Nearly 90 written submissions.

That's another great win for this government.

- Eight in-person facilitated roundtable discussions involving over 200 stakeholders representing employers . . .

At least, they involved employers here.

. . . workers, OHS professionals, health and safety associations and academics.

Now, my question in all of this is: what was the percentage of those 200 stakeholders that were actually employers and industry? I am going to bet we had probably 10 per cent of these people who were actually from industry or employers, and this is going to affect their businesses. This is an answer that maybe the government can get me later, because I think this is important.

But let's backtrack here. Let's talk about this legislation. I had already mentioned in one of my questions to one of my colleagues that we had gotten this legislation put on our desk on Monday and are expected to be able to debate this on Thursday. Now, the problem here is that the government has made sure that we're in morning, afternoon, and night sittings, so I don't even have the opportunity to put a lot of time in to be able to review this bill, to be able to get into the meat and potatoes of this bill, or even go out and consult my local constituents on this bill. This is sad.

11:40

An Hon. Member: You shouldn't have fired your staff.

Mr. Cyr: Unfortunately, the government's answer to that is that I should fire my staff.

An Hon. Member: Shouldn't.

Mr. Cyr: But I would argue that, in the end, this is terrible. What we've got here is four days to actually be moving forward on such an important piece of legislation.

Now I'd like to talk about workers' compensation. Actually, you know what? I'll take a step back. If this was the first time the government had done this, we would be going: well, jeez, you know, this isn't okay. But this seems to be a regular occurrence, especially when it comes to the Labour minister. We had Bill 17, the Fair and Family-friendly Workplaces Act, pushed through our wonderful Legislature, starting on May 24, 2017, to June 5, 2017. So we literally had 12 days to debate this important piece of legislation on our employment standards, and we had the same problem. I think they had some – what was it? – 60 days of wonderful consultations. In this case at least they put nine weeks in. That's – what? – 73 days. We're seeing improvement. We're seeing some improvement. They gave us an extra two weeks of consultation. We should all be thankful for that.

What we're seeing here is a clear direction from this government to say: we know how to make legislation, and we don't want anybody else's input on it. We saw what happens, because Bill 6 was a good flop. It ended up being so traumatic for everyone that was involved with that bill because they pushed it through the House.

Now, I think – and I think I could speak for most of my colleagues here – that we all want people safe on the job site. I can't imagine one of my colleagues standing up and saying: gee, I hope somebody gets hurt. Putting that aside, what is it that we're looking to do here? We're saying: let's get it right the first time. Now, I'm a guy that says: "Let's look at what happened when they first brought in legislation. Let's look back, because we can actually learn lessons from the past."

The Workers' Compensation Act was brought in in 1973. The first reading was October 12, 1973. Then what happened was that it made it through the House. Now, I would like to talk about that first day that they brought that in for second reading. The second reading date was October 22, 1973. They actually gave 10 days between first reading, which would have been when they first put the bill down so people could read it, and second reading. To be able to get it done, we got 10 days.

Now, I understand that that is also a very short time frame. But what I will say, which is important to all of this, is that this legislation came from a committee. This actually came from a committee. They saw the importance of all parties putting their part into it.

I'd like to quote some of the *Hansard* from October 22, 1973. This is on Bill 70, the Workers' Compensation Act. I would like to talk about a member, Dr. Hohol – and I apologize if I got his name wrong – and the intent here is important. What he says is:

I wish to recall the membership of the special Select Committee of the Legislature and to extend to them the government's and, through you, sir, the Legislature's appreciation and thanks for the many, many hours of selfless work on so important a matter.

So, then, when they first brought this in, they recognized the importance of a committee. They recognized that this needed more discussion than just being rammed through the House.

Now, it goes on to say:

Mr. Anderson, Mr. Drain, Mr. Cooper, Dr. Paproski, Mr. King, Mr. Diachuk, Mr. Harle and Mr. Werry each brought to the deliberations his own occupational background and also his own unique convictions, his own beliefs, his own value system and his own ideals to the job.

This is important, that we have a variety of opinions in making legislation.

It goes on to further say:

It was with this background that this dedicated group of legislators developed the recommendations of the committee on which the bill was formed. That there were strong disagreements from time to time attests only to the calibre of the committee members. But there was one overwhelming agreement throughout, and that was that without fear or favour we must make the strongest possible effort to bring to the Legislature the best report of which we were able.

They absolutely saw the value of this.

You know what? Excluding the opposition in creating legislation creates problems. Excluding the stakeholders of this legislation creates problems. This government continues to move down that road, and you know what? We're going to continue to see these kinds of problems. When you stop listening to people and start thinking that you know everything, that is where the true problem is. That's where ideology trumps reason, trumps integrity, trumps all aspects. It's important that you understand that this referral motion is very important. We need to get this legislation right. We need to make sure that we protect our workers. I don't believe anybody in this House – again I will quote this – wants to actually hurt another human being, whether they're in a working space or not.

Now, to go on a little further down:

To chair this outstanding committee, dealing with such very human considerations, was for me one of my most challenging and rewarding responsibilities in government.

Industry and the worker and Albertans generally, have been well served by the legislators who sat on this committee and by the legislation which will emerge from the report that it put together. The committee was strong in its unanimous view that reviews of The Workmen's Compensation Act, which have to be undertaken from time, should be made by a special select committee... in contrast to, for example, commissions or tribunals.

What we're looking at here is a recognition that our committees can do wonderful things. They can get out there, and they can actually make a piece of legislation all that much stronger. Yet what we've got is committees being used for daylight saving time. Now, this was an important topic. There is no disputing. This was something that very strongly engaged Albertans. Fair enough. That was something that we could use a committee for. But when we've got a piece of legislation as important as workers' compensation, this is something where we need to make sure that we get all sides of it, make sure that we hear all points of view.

What I would like to go on to here is a little further down. This is something that I think was very interesting because when we start to look at what we're dealing with today, we're seeing that a lot of the same issues or same things that were brought forward 40 years ago, we're bringing forward in this piece of legislation that we see in front of us. Now, I'm going to quote this.

The board pays permanent disability compensation, that is to say pensions, by capitalization, meaning setting aside money from which earned interest will pay compensation during the lifetime of the worker. This being the largest single cost against board funds, it is imperative to obtain the best possible investment returns, thereby reducing the cost to the industry.

The government, Mr. Speaker, is well impressed with the committee's deep concern with safety. It is not moving on this one part of the committee's report, and for reasons that I believe the committee and this Legislature will accept. In view of the government having made the judgment that the whole matter of occupational health and safety should be a sign for comprehensive study and report by a commission, it is reasonable to await that report.

In the meantime, the legislation does reflect our serious attitude on this important matter. In addition, every effort will be made to improve and to upgrade safety in all the departments and agencies wherever such responsibilities may lie. At the same time we appeal strongly to industry and labour to work together to ensure the safest possible...

11:50

The Deputy Speaker: Questions or comments under Standing Order 29(2)(a)? Barrhead-Morinville-Westlock.

Mr. van Dijken: Yes, please. I believe the Member for Bonnyville-Cold Lake was just finishing a very important point, and I would like to be able to hear the rest of what he was letting us all enjoy.

The Deputy Speaker: Bonnyville-Cold Lake.

Mr. Cyr: Thank you. To finish the sentence off:

... conditions with respect to the worksite and the workshop in their enterprise.

Here is what happened. The committee put forward the report. The Legislature or the government in charge didn't accept the whole report. That's okay. Just because you have committees working on reports or working together doesn't mean the government is required to enact those recommendations. You would hope that they would listen, hope that it would influence the decision. In the end, going and doing committee work is only going to strengthen the legislation. Even though maybe the government may not like the direction of the report in some cases, you will find that overall you'll get a stronger piece of legislation through it.

Mr. van Dijken: It's important for transparency.

Mr. Cyr: It is absolutely important for transparency.

Now, what I'd like to move on to is where the NDP leader at the time, Mr. Notley, was also speaking on this piece of legislation.

Thank you, Mr. Speaker. I think first of all I would like to say, in reading over the report of the committee, that a number of excellent recommendations were made. It's obvious, Mr. Speaker, that a good deal of work went into the preparation of the report which was tabled in the Legislature last spring.

I certainly agree with certain aspects of this report and of the legislation we have before us.

I'm bringing up the past NDP leader and the discussion where he's saying that he saw value in moving forward with committee work. He didn't agree fully with the committee recommendations, just like the government didn't agree with the committee recommendations. That's the adversarial part of our democracy. In the end, we may not agree on everything, but if we work together, we get a better piece of legislation moving forward.

Now, Mr. Notley in his speech goes on about a lot of the things that we see within this bill, so this is something that we can see is important to our NDP colleagues across the aisle. Fair enough. But what is it that we could have contributed to this piece of legislation if we had the time and the ability to be able to go through this legislation more thoroughly? If there is one that we should spend a year on getting it right, this is definitely one of those pieces of legislation.

I will tell you that a referral motion to the committee just makes common sense. I would ask every member of this Legislature to please consider it because we've seen what happens when you rush it. You get things wrong, and then you have to do a piece of legislation to Band-Aid and fix the problems that you've created. The unintended results of rushing through legislation always impact the person you're trying to protect. What is it we're going to see that is going to impact those workers in a bad way or a negative

way because we didn't fully think through how to get this legislation in place?

This is an important discussion, and we're going to be done this whole discussion within, most likely, two weeks with almost no consultation from the actual employers who have to implement what we're putting forward. You know what? They might have a better way. We might have a better way.

You know what? I don't believe that the government is trying to put red tape in front of these employers so that they can't put people to work. But, in the end, if we do put red tape in front of these employers, we end up putting people out of work or preventing people from getting work. We've heard the government talking lately about 70,000 new jobs. Is this something that could affect that? I don't know because – you know what? – we haven't had enough time. We haven't had enough time.

I guess that getting past the last bill, Bill 17, the Fair and Family-friendly Workplaces Act, the one that was just pushed through, that still . . .

The Deputy Speaker: Any other members wishing to speak to the referral motion? The hon. Member for Airdrie.

Mrs. Pitt: Thank you, Madam Speaker. It's a pleasure to rise today to speak to my hon. colleague's referral amendment. There have been some really fantastic arguments made here today, and I really do hope that all members in this House have been listening and thoughtfully paying attention because, after all, we're here to debate in an effort to change each other's minds. Unfortunately, we're not hearing much from the government, which is hard, because I believe that the government has had a lot of time to digest the information in this bill, clearly, before it was tabled.

You know, we've heard a little bit about extensive consultation, and that's something that I think would be valuable to this debate in the House. That certainly would be something that we could do in committee with this piece of legislation. We could bring in experts, bring in anyone who wants to provide feedback on this very large piece of legislation. Yet we see this tabled just a few days ago.

We've been given very little time to digest the information, to get feedback from Albertans. I'm going to go home this weekend and have two days, because I also have committee work tomorrow, to consult with my constituents, which gives me a Saturday and a Sunday. I'm not really quite sure that that's going to provide proper feedback.

I think that the only option that we have at this point, Madam Speaker, is to put this into a committee, where meaningful work could take place. I doubt very much that anyone in this Chamber doesn't think that Albertans are in first place, that Albertans' voices matter, and that they need to be brought forward to a committee to gather these recommendations, gather the expert advice, and then bring back those recommendations to this Assembly, where we will have enough proper, thoughtful, expert information in front of all of us.

Very clearly, the opposition here today has been saying that we don't have the information, and we don't have time to get the information. You know, we're about a week away from adjourning this House for the Christmas season, and we had the largest bill of the entire session tabled just a few days ago. It's frustrating not only for the opposition but, I can assure you, for Albertans because they only just got this information a couple of days ago. They haven't had time to digest this information.

You can't tell me that the government, Madam Speaker, has talked to every stakeholder in this province. That's insane. There's no possible way. It would be prudent, however, to do the work of consultation in committee, which is what this amendment proposes here today. It's important. It's democratic. I just don't quite see what type of argument could be on the table as to why we wouldn't refer a piece of legislation to a committee for meaningful work.

The Deputy Speaker: I hesitate to interrupt, hon. member, but pursuant to Standing Order 4(2.1) the House stands adjourned until 1:30 this afternoon.

[The Assembly adjourned at 12 p.m.]

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