

SECOND SESSION - TWENTY-SEVENTH LEGISLATURE

of the

Legislative Assembly of Saskatchewan

DEBATES and PROCEEDINGS

(HANSARD) Published under the authority of The Honourable Dan D'Autremont Speaker

N.S. VOL. 55 NO. 5A WEDNESDAY, OCTOBER 31, 2012, 1:30p.m.

Potential Changes to Labour Legislation

Mr. Forbes: — Thank you very much, Mr. Speaker. Mr. Speaker, today is Halloween. And on the minds of Saskatchewan working people is whether or not they'll be receiving a trick or a treat from the Labour minister in his looming massive overhaul of 15 different pieces of the labour law. It's happened before, Mr. Speaker, where working people hold out for the Sask Party to deliver a fair and balanced approach to labour laws, only to be tricked into the most extreme, unfair, and unconstitutional legislation.

Mr. Speaker, the last time the Sask Party promised fairness and balance, they ended up with your essential services law tossed out of court. Mr. Speaker, the Sask Party Throne Speech claims the minister's legislation will be the most fair and balanced in Canada. How does the public know this isn't another Sask Party trick?

The Speaker: — I recognize the Minister of Advanced Education.

Hon. Mr. Morgan: — Thank you, Mr. Speaker. I thank the member for his question. I appreciate his sense of humour, being Halloween. It is not our goal or intention to trick anyone. Our goal is to modernize labour legislation.

We want to ensure, Mr. Speaker, that our workplaces are safe and responsive to the needs of employees and employers. Some of the Acts and the pieces of legislation under review have not been substantively reviewed in almost 20 years. Others have not been reviewed in more than two generations. Some of the pieces of legislation have got fines that range from \$10 to \$25 as a maximum. We think we want to go forward and look at consolidating the pieces of legislation and take steps to move things forward. I can advise, Mr. Speaker, that we went through extensive consultation over the summer months. We received over 3,800 responses during that period of time and, Mr. Speaker, I want to make it clear that it is our intention to use and develop as much as we can out of those responses. So, Mr. Speaker, we thank everybody that participated.

The Speaker: — I recognize the member for Saskatoon Centre.

Mr. Forbes: — Mr. Speaker, sadly Saskatchewan people know this modernizing story way too well. The Sask Party imposes ideology over common sense and drafts labour legislation that's both unconstitutional and unbalanced. And they don't seem to get that working people, businesses, and unions want fairness in the workplaces for all sides.

Mr. Speaker, in other jurisdictions where right wing governments say they're going to modernize labour law, it usually throws the baby out with the bathwater. We saw it here in Saskatchewan where the Saskatchewan Party last term brought in the unconstitutional essential services legislation which still needs addressing. Did the minister forget the court has ordered him to solve this essential services snafu that his government created?

The Speaker: — I recognize the Minister of Advanced Education.

Hon. Mr. Morgan: — Mr. Speaker, we've made it clear throughout this process that one of the primary needs of the consultation and review process is to address the concerns that the court had with the essential services legislation. As a province we are committed to having essential services legislation. We feel that the needs of our citizens for their health care, for ensuring that snow removal takes place, those are things that absolutely must happen in this province, and we feel that we need a legislative framework to ensure that those things do happen.

We've heard from the members opposite that we should rely on the goodwill of the workers that are there. We are not prepared to put those workers in a position of being pitted against their union. We feel the right thing to do is to have a legislative framework for that to take place in.

Mr. Speaker, we heard responses during the process as to how that should take place. And, Mr. Speaker, that is one of the things that we intend to address as we go forward in this. I would like to take this opportunity to try and thank everybody that made a submission to the process. And we appreciate the input and it will be taken into account.

The Speaker: — I recognize the member for Saskatoon Centre.

Mr. Forbes: — Thank you, Mr. Speaker. You know our history, our Saskatchewan history, is full of people fighting very hard for their rights when it comes to our labour law. And workers died to win the basic protections some on those benches over there seem to take for granted. It's taken 100 years to build a balance for working people and employers alike. And an overwhelming majority of common sense people in our province believe that labour laws should be improved upon and not watered down.

And one of the key things people in this province are telling me and telling that minister is, don't water down safety regulations. We already have far too many serious injuries in our workplaces. And in fact, Mr. Speaker, the Throne Speech alluded to safety regulations as if they somehow impose some sort of unspoken burden on business growth. Why does the Sask Party put such a low priority on making workplaces safer here in Saskatchewan?

The Speaker: — I recognize the Minister of Advanced Education.

Hon. Mr. Morgan: — Mr. Speaker, I can advise the member opposite that we value the safety and security of the women and men that work in our province the same way we value their rights. Mr. Speaker, we have a good track record of trying to deal with that. We passed earlier this year Bill 23 which addresses those things. That Bill will be proclaimed and brought into force in the near future. We are taking steps to deal with it.

Mr. Speaker, we have a good, strong situation in our province where we deal with . . . [inaudible] . . . and I have a quote I'd like to read: "Our economy has been moving along quite well with relative labour peace for many, many years." Mr. Speaker, that quote is from none other than the Opposition Leader during an October 23rd scum on the upcoming session.

And I want to further advise the members, Mr. Speaker, that over 97 per cent of the members that work in our public sector are working under contracts that were negotiated with no job action. When we brought in essential services legislation, Mr. Speaker, they said it would end collective bargaining as we know it. It didn't happen. We've done it and we've continued to do those and we will continue to do those things, Mr. Speaker.

The Speaker: — I recognize the member for Saskatoon Centre.

Mr. Forbes: — Mr. Speaker, without . . . And I want to talk about public consultation. Without proper public consultation, the Sask Party's massive overhaul of labour legislation both lacks legitimacy and threatens to substantially change 100 years worth of progressive labour legislation. People asked the Sask Party to approach any change to labour legislation with caution and care. They asked to be heard and they asked for public meetings, but the Sask Party has refused to listen. They ignored those recommendations to consult with the public and are lining up what could be the most extreme labour legislation in the country.

Well we released a consultation document for the minister to consider the real recommendations of the public. And the minister said at the time that he thought the document had merit, but he still wouldn't commit to meet with the public prior to drafting his new labour legislation.

To the minister: why has his government made such a concerted effort to avoid public consultation? And why is he introducing Canada's most extreme labour legislation without a single public meeting?

The Speaker: — I recognize the Minister of Advanced Education.

Hon. Mr. Morgan: — Mr. Speaker, we received 3,800 responses to our paper that was put out. We've held six or seven minister's advisory committee meetings which have ran all day. These are done with both labour and with business leaders. Mr. Speaker, I want to thank everyone that made a submission.

One of the submissions that was received in the dying hours was the one from the NDP

[New Democratic Party] party. You would think that they, above all else, those people above all else, would have got theirs in early, but the unions got theirs in ahead of them. Everybody else got theirs. One of the last ones to be received was from the NDP party. And what does it do? Nothing more than complain about the process and complain they want more time. If they would spend more time doing their work and less time throwing the rhetoric, they would be better.

Mr. Speaker, the member opposite talks about no consultation. Mr. Speaker, in 1999 the NDP passed The Special Payment (Dependent Spouses) Act, ex gratia payment Act, with no consultation whatever; 2001, amended The Labour Standards Act extempore, no consultation; 2004, The Trade Union Act, no consultation; 2006, The Labour Standards Act . . . [inaudible] . . . no consultation.