

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

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### Changes to Labour Legislation

**Mr. Forbes:** Thank you very much, Mr. Speaker. Mr. Speaker, the Sask Party tabled their massive overhauling labour bill with only hours remaining of the fall session. People are concerned about upsetting the balance between workers and the employers, and on first glance there are many things that do upset that balance. Just as the minister leaked to his paid audience friends that the eight-hour workday is now over for some people. Now with only a week's notice, workers could lose the eight-hour workday and have to change their lives to work 10-hour shifts. This could have serious implications for those with child care needs or other family responsibilities.

Mr. Speaker, why has the Sask Party upset the work/life balance for potentially every worker in this province?

**The Speaker:** — I recognize the Minister for Advanced Education.

**Hon. Mr. Morgan:** — Mr. Speaker, the member opposite will know full well from the information that was provided yesterday that, under our current legislation, you have the option of obtaining a permit to work either four 10's or five 8's. Mr. Speaker, that system has been in place in our province for many years. And, Mr. Speaker, it's not a difficult thing to understand: four 10's, five 8's.

Mr. Speaker, we have indicated as well that there are approximately, approximately 900 businesses that have obtained permits. In the history of the province, there has never been one of the permits that has been denied. So, Mr. Speaker, we are simply recognizing the reality of what is taking place under our current legislation and our current regulatory regime. There really is no change to it other than less paperwork, which is always a good thing. Mr. Speaker, we value and we respect the work that is done by our workers in our province.

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

Mr. Forbes: — Protecting vulnerable workers and giving them the opportunity to share in the wealth of Saskatchewan's economy is an important role for government. And we were pleased yesterday to see that the government touted change for the minimum wage in their news release. But, Mr. Speaker, the change is not in the bill. The officials say it's in the regulations. When we first called for the indexation of the minimum wage back in 2007, we called for it be legislated.

The minister said he's open to amendments to the bill. Will the minister amend the legislation and put the indexation of minimum wage into the labour legislation itself?

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

**Hon. Mr. Morgan:** — Mr. Speaker, there is a long history in our existing legislation that the minimum wage is in fact in regulation. The reason it's in regulation is so that government can be responsible and nimble enough to change it as is required.

Mr. Speaker, we indicated yesterday that the minimum wage would be indexed. We indicated what it would be a combination of: the consumer price index and the average hourly wage. Mr. Speaker, we intend to include that as part of the regulations that are there. We intend to retain the flexibility that government has had in the past because in the past we have raised it over 26 per cent since we were in government, well in excess of what the consumer price index is. And we want to keep that flexibility in case we wish to raise it even more, Mr. Speaker.

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

**Mr. Forbes:** — Thank you, Mr. Speaker. Mr. Speaker, the change to the labour law to remove co-workers from their union wasn't asked for anybody who is in a union. At best it creates confusion and bureaucracy. At worst it creates divisions in the workplace. Mr. Speaker, no one voted for changing the structure of workplaces and making it more onerous for employees and employers. Why would the Sask Party introduce legislation that creates confusion, more bureaucracy, and divisions in our workplaces?

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

**Hon. Mr. Morgan:** — Mr. Speaker, we had two situations that arose during the last number of years. The first one was people that handled or had access to confidential information. These were people that were preparing mandate letters, developing budget documentation. These people were sometimes in scope. How unfair is it to that person to expect them to make a determination how they are to vote when they know the employer's bottom line and know how the budget process is, and how the mandate is to be there? It is incredibly awkward for that individual and even more awkward for that individual to discuss it with their co-workers.

We think the appropriate course of action is to have those people removed from being in-scope, so they are not in an awkward position with their workers.

We also think, Mr. Speaker, that the other area is people that are in a supervisory

position; if you were in the position of hiring, firing, doing performance evaluations, determining wage or salaries, disciplining somebody, that it is inappropriate for you to be in the same collective bargaining group as the people that you're disciplining. How do you go to a meeting with them? How do you vote? How do you determine who's going to be on the executive of the local? Mr. Speaker, it just makes sense.