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DEBATES and PROCEEDINGS

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Passage of Bill N0. 85

Mr. Forbes: Thank you very much, Mr. Speaker. It is a pleasure today to have a private members' debate on this very important piece of legislation that's before us in the House. And it's important that we think of it as a significant piece of legislation that will govern how our workplaces operate over the decades ahead. And we must have that second look at it to make sure we are doing exactly the right thing that is needed to move our province forward. Now our province has been going forward. We all know that. We acknowledge that, and we think that's a wonderful thing. But it has done so, it has done so under the existing labour laws that we see today.

So we're asking the question, why the rush? And many people are joining in and asking that very basic question. In fact one of the questions I have right off the bat is, who is standing with this government to say let's get this done by May long weekend? We're not hearing that outcry that says it's good, it's done. It's perfect, let's move ahead. And in fact we're asked . . . A lot of people are saying, let's take some time. Let's get this right. Nobody is saying that the concept of one large piece of legislation is wrong. But people are saying, let's get it right.

Now, Mr. Speaker, I think that what was really telling was a letter that came out yesterday from Hugh Wagner. It was published in the Leader-Post, and I want to refer to it because I think it sets the stage. Now this minister, unlike the previous Labour minister, had actually involved both business and labour leaders in an advisory capacity to make sure they get the legislation right. And in fact they had several meetings, I understand, and I understand there was great common understanding. But the issue remains: some of these folks think we're moving too fast. And I want to read from this commentary that was printed in the Leader-Post yesterday, March 6th. And the heading is "New Sask. labour law: why the rush?" And it's written by Hugh Wagner, and I quote:

As labour leaders, business leaders and government we have a responsibility to work together to maintain a stable, balanced, and fair work environment for all

people in Saskatchewan. We have been charged to preserve the rights and freedoms of choice we all enjoy resulting from the solid foundation of labour legislation we have built together over the past 70 years.

So he sets the stage in saying this is really a critical piece work, that we have to make sure we get it right. And there's been a lot of steps that have gone before this that really makes us ask the question: are we in too big of a rush to do this?

And I just want to take a step back and talk about how this was launched. You know, actually it was ironic because during the campaign we did not hear anything about this kind of omnibus legislation. And in fact it was launched last May 2nd, and a bit of a surprise. Nobody saw this coming. Nobody had asked for it. The minister couldn't answer the question: who's calling for such a piece of legislation? A lot of those questions were left unanswered. And so the summer was spent in response to "A Consultation Paper on the Renewal of Labour Legislation in Saskatchewan," a relatively thin piece of work, but it had 180-some questions and some were quite wide-ranging; some were quite alarmist.

And I know the minister said that some . . . They had not really had any intention of actually following through when they talked about the stat holidays, that type of thing — do we have too many stat holidays? They had no intention of cancelling stat holidays. But it left a lot of people wondering what was really behind this government's motive to do this, and why. Why the hurry? Because essentially what had happened was that people were to respond to this and other points that they wanted to raise by the end of July. And of course announcing at the beginning of May, ending in July, that 90-day window really was problematic because of course as you know, July in Saskatchewan is seen as a holiday month. The kids are out of school. People are travelling, enjoying the warm weather. And it wasn't really the best consultation process. And that was a concern we raised that they weren't going to get the best work.

And in fact the only way you could provide feedback to this government was through a written response. This government had no interest in actually going out and talking to the people and talking to all sorts of people. They were going to just let the mail come in. And of course we saw it. Apparently there was quite a significant number of responses. Many, many — in fact we understand the number is over 2,000 — were actually a photocopy of a fax that was sent in. So there's some questions about how credible was the response but, fair enough, they are the government. They took it, and then we all went away until early December, on the Tuesday two days before the wrap-up of the session, to actually see the legislation.

And of course that was a real problem because we just didn't have time to respond in the winter session at all. Of course we understood why they took so long because there was an awful lot of work to do. Here you have some . . . Now they were looking at 15 pieces of legislation. In the end 12 pieces were essentially used. We understand that actually the number is closer to over 30. Thirty-three pieces of legislation is impacted by the new bill, which is some 184 pages. And of course how many hundreds of regulations will be impacted as well? It's a huge piece. It's a huge piece. And we're saying, let's take the

time to get it right. We're not saying that, stop it; throw it out. We're saying, let's fully understand what the consequences are.

Now what is interesting, yesterday in the House I asked the question . . . For example, the government in its press release and information that it sent out at the final days of the session about what was in the bill and what was going to be out of the old legislation, highlighted some things but clearly didn't have — and it is a communications problem — didn't highlight all the things that were being left out. So yesterday I asked about Sunday, Sunday being now out of the labour standards. And of course that, it may be a faith issue, but we also think and perhaps even bigger of importance, more importance, is the fact it's really about work-life balance, work-life balance, because we know Sunday is the anchor of the weekend. It's a day that the schools are closed.

Now the minister said, and this is what he replied — and it seemed like he was fully aware so it wasn't an unintended consequence; it was intended — that they would remove the Sunday and that we would then be having pretty much an unstructured weekend throughout the week.

He says, and I quote:

There have been court challenges with regard to Sunday being a religious holiday and the Act has been amended in compliance with rulings of the courts in our province and elsewhere.

So we know though, there has been battles about Sunday and there has been battles about Sunday opening. And that has been an issue around the faith issue. We're not sure if there's been challenges around Sunday as part of the weekend, but the minister seemed to imply that across Canada no other province has Sunday as part of a designated, as part of their days of rest. In fact we know of three other provinces, three other provinces where it is the case that Sunday remains as part of the weekend.

And so, Mr. Speaker, we're not getting clear answers from this government. We're not getting straight answers about this government. So we are nervous about what are going to be the implications of this bill.

And as well, another example of the government not giving straight answers, when we asked about this in May, about how much was this going to cost, and the minister was very clear, very clear that the costs of this were going to be absorbed by the existing labour budget, that they could do everything in-house and there would be no extra cost. But we soon found out when we got back to the legislature in October, November that that was not the case, that in fact that it was going to cost at least \$700,000 more, at least \$700,000. And we don't know how much more, and what will be the impact on the budget in a couple of weeks.

My guess is that we're going to be hovering around \$1 million for this project that was sold to us as essentially being no cost because they had everything in-house. And that clearly wasn't the case. It clearly wasn't the case. So we're saying, is this well thought out? Has this been well researched? And why not take the time to do a good job because

it is so clearly, clearly important to the people of Saskatchewan?

Now I want to say, to read a little further from Mr. Wagner's commentary because it's so critical that we get this right. And this is how labour and business view it, and I quote:

We are all part of the "Saskatchewan advantage" and the biggest economic boom in our province's history. We have the lowest unemployment rate in the country and more people are moving to our province than ever before.

[All of this has been done] All of this has been achieved under our current labour legislation — there clearly is no crisis requiring a hasty fix.

He goes on to say, "modernization . . ." And I quote:

Modernization of laws is a good thing, but it requires thoughtful and inclusive review and that will take time.

I There is no harm in taking time, but there is a worrying potential for real damage if passage of this new legislation is rushed.

So, Mr. Speaker, we need to take that time. We see the fiasco, what happened with the essential services legislation that was rushed. And here we are six years later with it still in court, and there's no end in sight. There's no end in sight what will happen with essential services. So why not take the extra months and get this right? I think the minister has made some steps by having an advisory committee. But I urge him and we urge him to listen to his members on his advisory committee that say, let's take the time to really study this.

There are many questions. One of the questions I have, Mr. Speaker, is so you have a piece of legislation, and one of the pieces that they've proposed is the indexing of the minimum wage. And we think that's a good idea. We would rather see it in the legislation, that phrase, that part, but they're saying it's in regulations. Well where are the regulations? We haven't seen the regulations. Now we're hearing the minister say it may be sometime in the summer. Mr. Speaker, there are literally hundreds of regulations, literally hundreds of regulations.

Now I have to say that there are some places where it's important to have good, strong regulations. And I'm thinking of occupational health and safety, particularly when it comes to the mining regulations in terms of how the safety factors in mines are operated. All of those are very, very critical.

But some of the things should be in legislation. So we're saying, what's the rush? Let's get this right. We've seen it when it's gone wrong, horribly wrong: as I said, essential services. And we can't see a much better way ahead when you have partners saying, let's take the time; let's take the time to get it right.

As well, Mr. Speaker, we're very concerned, we're very concerned that this government, by focusing its resources on this, is not tackling the priorities of this province that it

should be. And I'm thinking of three particular areas. One — and the minister and I are in agreement on this — one is occupational health and safety. We have a horrible record here in Saskatchewan that needs much more attention and needs resources to be tackled.

We also have the issue around making sure First Nations and Métis people are fully engaged in the workplace, fully engaged in the workplace. That's hugely important. That has to be done. And as well, Mr. Speaker, one thing I've been hearing a lot is about the temporary foreign workers, and we have a bill before the House on that. Curious why that's not part of this bill, because labour standards for anybody who works should be in this bill. So we have clear, clear priorities.

And the other issue I have that I need to raise today is around the resources for enforcing this bill. What will happen? Will there be more occupational health and safety inspectors? Will there be more labour standards inspectors to help with this? How much will this really cost? And will this happen? So, Mr. Speaker, I am happy to move today the motion that's before this House. And I'll read this now:

That this Assembly expresses its disagreement with the government over the pace, scope, and necessity of rewriting workplace laws of the province and calls on the government to delay the passage of Bill No. 85 until the fall sitting.

Thank you.