

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN  
April 20, 1994

The Assembly met at 1:30 p.m.

Prayers

**ROUTINE PROCEEDINGS**

**PRESENTING PETITIONS**

**Mr. Neudorf:** — Thank you very much, Mr. Speaker. I would like to lay petitions on the Table this afternoon dealing with the issue of underground storage tanks. And I will read the prayer, Mr. Speaker:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to put aside any consideration of forcing small-business owners to pay 100 per cent of the costs involved with digging up underground storage tanks and replacing them, and instead offer alternatives through abandoning regulations calling for digging up of underground tanks, with the exception of those tanks which have been proven to be leaking, cost sharing or another alternative agreed upon by all parties affected.

And as in duty bound, your petitioners will ever pray.

Mr. Speaker, these petitions come from . . . mainly in the Luseland area, Macklin, Lougheed, Alberta, there is one as well, Moosomin, Rocanville, and Weyburn. And it gives me pleasure, Mr. Speaker, to lay these on the Table at this time. Thank you.

**Mr. Martens:** — Thank you, Mr. Speaker. I too have petitions from people across Saskatchewan regarding underground fuel tanks. I want to present these today. They come from Maryfield, Saskatchewan; Regina, Fairlight, and then Luseland and Denzil, Saskatchewan, Mr. Speaker. And I want to present these to the Assembly today on behalf of these petitioners.

**Mr. Swenson:** — Thank you, Mr. Speaker. I also have petitions today to present on behalf of Saskatchewan citizens, who in their thousands, Mr. Speaker, have been petitioning this Legislative Assembly on the issue of underground fuel tanks.

And today I would present petitions on behalf of citizens from the communities of Calder; Wroxton; Yorkton; Tramping Lake; Luseland, Saskatchewan; Steelman; Oxbow; Carlyle; Alameda; Frobisher; Glen Ewen; lots of people in the southeast, Mr. Speaker, Estevan — obviously people all around the province, Mr. Speaker, who would like their views known to the Assembly and I would present them today, sir.

**Mr. Boyd:** — Thank you, Mr. Speaker. I as well have petitions dealing with the important issue of the underground storage tanks that is on the minds of a number of people around Saskatchewan.

These petitions come from Cupar, Dysart, Regina

areas, Wolseley. Mr. Speaker, they are from Torquay, Estevan, a number of areas, a number of communities in Saskatchewan. I'm pleased to present them on their behalf today.

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, I too have a number of petitions to lay on the Table. And these petitions are signed by individuals from the south-east part of the province, eastern side of the province. Communities like Tantallon and Wawota, Calder, Wroxton, Melville, Mr. Speaker, and Waldron.

Mr. Speaker, the people are petitioning the government to give consideration to their legislation as they are concerned what will happen to the communities as well. And I so present the petitions.

**Mr. Britton:** — Thank you, Mr. Speaker. I too have several pages of petitions dealing with the same subject. And as the prayer has been already read, I won't read it.

Mr. Speaker, these petitions are signed by people pretty well across the province — Luseland, Tramping Lake, Macklin, Primate; we go over to Yorkton, Saltcoats, Rokey, Wroxton, Springside, and places like that, Mr. Speaker, pretty well across the province. They're showing a very high interest in this, and I would like to lay this on the Table on behalf of those people. Thank you.

**Mr. D'Autremont:** — Thank you, Mr. Speaker. I too have petitions to present today dealing with the underground storage tanks. As evidenced by the meeting in Davidson, it's an issue across the province.

These petitions comes from Stockholm, Yorkton, Round Lake, Theodore, Calder, Saltcoats — quite a few from Saltcoats, Mr. Speaker. I'd like to present them today.

**Mr. Goohsen:** — Thank you, Mr. Speaker. I have as well several pages of the petition with regards to the underground tank situation. These petitions are exactly as the prayer read by the colleague earlier. They come from Unity, Langham, Perdue, Grandora, Saskatoon, Asquith, and Biggar. Most of these are from the Grandora area though, and I'm happy to present them on behalf of those people today.

**Mr. Muirhead:** — Thank you, Mr. Speaker. I too have some petitions. I think there's five here, totaling about 75, with their concerns over the burying of the varied underground fuel tanks. And I'll just cover a few of the towns.

This page here is mostly from Cupar, Mr. Speaker; one from Regina and a couple from Lestock. And then the other one is mostly Bethune area, close to my constituency. Then I have Southey, Cupar, Southey, Markinch, several from Regina, Saskatoon, Saltcoats, Saltcoats — quite a few from Saltcoats; Yorkton, as far away as Yorkton.

Mr. Speaker, I have the pleasure on behalf of these people to lay it on the Table for the minister's consideration. Thank you.

### READING AND RECEIVING PETITIONS

**Clerk:** — According to order the following petitions have been reviewed, and pursuant to rule 11(7) they are hereby read and received.

Of citizens of the province praying that the Assembly urge the government to change the regulations requiring the replacement of underground storage tanks.

### INTRODUCTION OF GUESTS

**Mr. Pringle:** — Thank you very much, Mr. Speaker. Mr. Speaker, it's my privilege today to introduce to members of the Assembly, with you in your gallery, and behind the bar, Mr. Speaker, some 50 seniors from Saskatoon, from St. Philip's Golden Age Group, who are visiting Regina today.

Mr. Speaker and I had the opportunity to have lunch with this group. And I wish to advise the House that I was working very hard for them, serving coffee and tea at lunch time, so they observed me doing some work here anyway.

I'd also advise the House that on a rare occurrence Mr. Speaker took all the questions, and I think he handled them fairly well. I would commend the group for offering support and socialization opportunities to seniors in Saskatoon. Your generation has built a great province. You typify the Saskatchewan spirit, and this institution is one that was built and continued within a fine tradition by your generation.

And so we all welcome you here, and we hope you enjoy the IMAX Theatre. Have a good day in Regina. Thanks for visiting the legislature, and have a safe trip home.

And I invite all members to join with me in welcoming you here.

**Hon. Members:** Hear, hear!

**Hon. Mr. Cunningham:** — Thank you, Mr. Speaker. Mr. Speaker, today I would like to introduce to you and through you to the members of the Assembly 53 grade 12 students from Canora Composite High School. Accompanying these students are the teachers, Larry Neufeld and Merv Tomski, and along with bus drivers, Joe Chairowik and Shirley Skoretz.

These young people are just at the age where they're entering the realm of democratic process, and I encourage them to pursue that. I congratulate the teachers for bringing them here, and I look forward to meeting with them for drinks and a short meeting later. So thank you very much, and please welcome them to the Assembly.

**Hon. Members:** Hear, hear!

**Mr. Roy:** — Mr. Speaker, I'd like to introduce to you and through you to the members of the legislature three members from the Saskatchewan Mining Association. I believe they are seated in the east gallery here.

We met with them this morning. Our committee met with them this morning to discuss some of the relevant issues around the mining industry. And we recognize certainly the importance of the mining industry to Saskatchewan. And I'd like to ask all members to warmly welcome them here today. Thank you.

**Hon. Members:** Hear, hear!

**Hon. Mr. Rolfe:** — I would like to ask permission to also introduce some guests.

I'd like to join the member from Saskatoon Eastview-Haultain in welcoming the St. Philip's Golden Age Group. As I was indicating to the group when I was speaking to them in the cafeteria, this is the first time in 20-some years that a group has come down — a senior citizens' group. I was wondering whether they were trying to give me a hint that I should join them soon in the future, and I would accommodate you in that.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Rolfe:** — See, the members here agree with you. I might accommodate them too.

I would like to welcome you people. We had a lovely half-hour down in the cafeteria. And this is the first time in 20 years that a senior citizens' group has come down from my constituency to pay a visit to the legislature, and I certainly welcome you people here.

Many of them I know as colleagues in the teaching profession, others from my church in St. Philip's, others from the Knights of Columbus and some of course were former constituents of mine and some are now presently constituents of mine.

So I do want to welcome you here. I know the members will be on their best behaviour for the rest of the time that you're going to be here, not to embarrass the Speaker. So welcome, and I ask all members to join with me in welcoming the seniors here.

**Hon. Members:** Hear, hear!

### STATEMENTS BY MEMBERS

#### Drake Meat Processors

**Mr. Koskie:** — Mr. Speaker, today I would like to advise the Assembly about another economic success story in my constituency. Drake Meat Processors, located in Drake, is an example of a company providing economic benefits to both the local community and the province. This is accomplished through consistent growth, a thorough knowledge of its market, and quality of its product.

Drake Meat Processors have had a real impact on the community of Drake. The company has brought 50 jobs to the town.

The firm began almost 40 years ago as a very small meat-cutting plant, and in 1983 the plant was rebuilt and by 1985 was producing a line of processed meats that were being retailed in large grocery stores throughout Saskatchewan. Drake Meat Processors claim that one of the reasons for their success was the "Saskatchewan made" campaign and logo.

Drake Meat Processors now produce almost 200 varieties of processed meats. Its workforce, as I said, has expanded from 6 employees in 1985 to 50 in 1994. Mr. Speaker, Drake Meat Processors is a fine example of success of small business in Saskatchewan.

**Some Hon. Members:** Hear, hear!

#### **Remarkable Recovery of Nearly Extinct Whooping Cranes**

**Mr. Scott:** — Thank you, Mr. Speaker. The whooping crane is the best-known and most celebrated endangered species in North America. The last known nest of whooping cranes in Saskatchewan was in the Kerrobert area in 1922. Since then whooping cranes have only nested in Wood Buffalo National Park.

The cranes migrate through Saskatchewan each spring and fall. The birds are currently passing through our province on their way to their nesting grounds in Wood Buffalo Park.

For many years the public have reported whooping crane sightings to wildlife officials who monitor and if necessary offer some protection for these rare birds. If anyone observes a whooping crane, they are encouraged to call the whooping crane hot line operated by the Canadian Wildlife Service in Saskatoon. The phone number is 975-5595.

Thanks to public cooperation and support and wildlife agencies in Canada and the United States pooling their resources and expertise, the whooping crane has made a remarkable recovery from a low of 21 birds in 1941 to about 270 whoopers in the world today.

With dozens of species becoming extinct every day in our fragile planet, the recovery of the whooping crane from the brink of extinction demonstrates that conservation efforts do provide positive results. At the same time the long and often painful recovery of the whooping crane shows that it is far more responsible and wiser to protect natural ecosystems to ensure the survival of all life-forms on earth before they are driven to the brink of extinction. Thank you.

#### **80th Anniversary of The Fern Rebekah Lodge No. 33**

**Mr. D'Autremont:** — Thank you, Mr. Speaker. I would like to take this opportunity to acknowledge

two notable events which occurred in the town of Kisbey this past weekend. The Fern Rebekah Lodge No. 33 celebrated its 80th anniversary, and at the same time honoured a very special member, Alberta Smith. The Rebekahs are a valuable service organization in Kisbey that strive to help others in the community by providing such things as support for minor sports, youth, the playground, and other community programs and projects.

Alberta Smith, a member of the lodge since it was established in 1914, has held numerous offices with the Rebekah Lodge and although she doesn't attend every meeting, she's still a very active member. Ms. Smith was presented with a veteran's jewel for being a member for the past 80 years.

Mr. Speaker, this is a first for Saskatchewan and possibly for Canada. In fact the Rebekah's central office has no record of ever presenting a member with an 80-year award before. Mr. Speaker, I think that I should also mention that Mrs. Smith will be celebrating her 99th birthday this coming September.

This being Volunteer Week, I would like to commend the Rebekah lodge in Kisbey and their veteran volunteer, Alberta Smith, for their valuable contribution to Kisbey and to the people of the Souris-Cannington constituency. I ask all members to join me.

**Some Hon. Members:** Hear, hear!

#### **Tourism Indicators**

**Mr. Langford:** — Mr. Speaker, in this Assembly we all know the best-kept tourist secret in North America is our own province. I'm happy to announce, Mr. Speaker, that the secret is out. People are inquiring about Saskatchewan in record numbers and people are following up on their inquiries by coming in increasing numbers. Those people who come are bringing their wallets and leaving jobs.

For the following year of 1993, there were 203,000 tourism inquiries, up 28 per cent over 1992. So far this year, Mr. Speaker, we are 63 per cent ahead of last year. As I said, the people are inquiring, are coming. Visitors from the States who stay at least one night are on the increase. Visitors to our national parks are up. Restaurant receipts are up.

The recent announcement of the Clarence-Steepbank area in my constituency will attract even more tourists to northern Saskatchewan. Attendance at special events like Buffalo Days, the Saskatchewan exhibition, and the Western Farm Progress Show, and Moose Jaw Air Show is up.

All this is good news, Mr. Speaker, and I congratulate all those involved in the tourism industry.

**Some Hon. Members:** Hear, hear!

#### **Saskatchewan: Leader in Health Care Reform**

**Mr. Kowalsky:** — Several countries are looking at Canada, and in particular Saskatchewan, as a leader and a desirable example in health care reform. Representatives from Saskatchewan have been invited to visit various countries in South America and to give seminars on our health system and on our health reform initiatives.

A recent example of this is our senior assistant deputy minister's visit to Bolivia and Panama to explain Saskatchewan's health reform plan. The seminars were organized by the Pan American Health Organization, working through the Canadian Society for International Health.

In Bolivia the seminar was held in La Paz where over 60 participants from Bolivia, Peru, Chile, Columbia, and Ecuador listened intently to the presentations about Saskatchewan's health plan. The other seminar, held in Panama City, attracted 20 representatives from Panama, Nicaragua, Costa Rica, El Salvador, Honduras, and Guatemala.

At both seminars an overview of the Canadian health system was given. There was a session on managing health systems information and health human resource issues were discussed. However, the delight and the highlight of the seminars was a demonstration of the new Saskatchewan community profile database. This drew a great deal of interest since most of the countries have a very limited sense of vital statistics.

Mr. Speaker, we should all be proud that the countries of South America and the world are looking to Saskatchewan for an example.

**Some Hon. Members:** Hear, hear!

#### Saskatchewan Waste Materials Exchange

**Mr. Koenker:** — Thank you, Mr. Speaker. Last week in Saskatoon the Saskatchewan Waste Reduction Council announced a new venture for Saskatchewan people, the Saskatchewan waste materials exchange. This is a non-profit venture co-sponsored by the Saskatchewan Research Council and by the Saskatchewan Waste Reduction Council.

The idea is really very simple, that one person's garbage is potentially another person's gold. The council will publish a quarterly bulletin that will list surplus materials that are available, materials that might otherwise be considered waste, with materials that are being sought by other companies. Surplus by-product or off-spec material then from one company will be made available to another company for feed stock in their business.

And what's significant then about this exchange is not simply the principle of environmental responsibility, but also the principle of economic opportunity. Reducing costs for those who have waste will increase profitability for those who need these waste materials and can use them, thus enhancing the competitiveness of Saskatchewan businesses and, as a

bonus, reducing pressure on our landfills.

Other provinces have had such exchanges since 1984, though not all of them. I want to commend the Waste Reduction Council and the Research Council for their cooperative venture and also to congratulate SaskPower, Weyerhaeuser, and Sask Chemicals for their participation.

**Some Hon. Members:** Hear, hear!

### ORAL QUESTIONS

#### University Funding

**Mr. D'Autremont:** — Thank you, Mr. Speaker. My question is for the Minister of Education. Madam Minister, when you sat on this side of the House, there was nothing you or your colleagues liked more than to criticize the funding levels for education.

And I'd like to quote if I could please. The education "... system has been starved and we're paying the consequences (from) ... it now." And that was from the Premier on April 5 of 1990.

Another quote: "We're going to give education the top priority." He said March 21, 1990.

Or: "... what do you suggest that the president of the University of Saskatchewan do? ... Should he increase the tuition ... by 10 ... (or) 20 ... or 40 per cent or higher?" From May 7, 1990.

Those comments were made at a time when universities were still receiving funding increases every year. Madam Minister, as a result of your downloading, the U of R (University of Regina) tuition fees will increase by 6.4 per cent this year, bringing the total increase to 28 per cent since you took office.

Why did you mislead the young people of this province prior to the last election by telling them that you would increase levels of education funding?

**Some Hon. Members:** Hear, hear!

**Hon. Ms. Atkinson:** — Thank you very much, Mr. Speaker. I want to thank the member for the question. As the member knows, that when this government took office in November of 1991, we were faced with the reality of a \$15 billion deficit. If you look at the way government spends taxpayers' money, over 66 per cent of taxpayers' money goes to third parties — school boards, municipalities, schools, universities, technical schools, health centres.

When a government is faced with a \$15 billion deficit, and bankers not prepared to lend us money in order to repay loans taken out by our previous administration, the PC (Progressive Conservative) Party of Saskatchewan, then we ask all of our stakeholders, all of our partners in Saskatchewan, to help share the burden. That includes universities, health organizations, all taxpayers of Saskatchewan, and that's what we've asked the university to do.

Now we have been able to say in my colleague, the Minister of Finance's budget delivered on February 17, that there'll be no further funding reductions because we have got our fiscal house in order and we are now starting to turn the corner in this province.

**Some Hon. Members:** Hear, hear!

**Mr. D'Autremont:** — Madam Minister, the fact that there may be no further cuts is small comfort when the students have received a 28 per cent increase and the Premier and your party knew what the budget numbers were prior to the election while you were being so critical about the funding. Every time there was a cut you criticized and demanded more money, even though funding was increasing.

I'd like to quote again from the current Premier of October 16, 1990: "Increased education spending is a priority for the NDP. All I can say is we simply have to find the money."

A quote from the member from Saskatoon Nutana: "When can the students and universities of this province expect adequate funding so that tuition fees do not have to be increased again?" October 22, 1991.

A quote from you, Madam Minister: "I would like you to explain to the young people of this province how you can justify your government's decision to cut educational funding." April 2, 1990.

Again, I'd like to ask you this question, Madam Minister. I would like you to explain to the young people of this province how you justify your decision to cut education funding, increasing tuition fees by 28 per cent, given the promises you made and your government made while in opposition.

**Some Hon. Members:** Hear, hear!

**Hon. Ms. Atkinson:** — Mr. Speaker, I wanted to once again thank the member for his question. The young people in this province, which no doubt are watching the proceedings today, are aware that our province is presently spending in excess of \$840 million on interest payments alone on debt that you racked up.

Now, Mr. Member, we spend \$889 million on education in this province. If we had allowed the debt and the deficit to continue out of control, we would have had to make further funding reductions. Young people in this province would not have access to university and other post-secondary institutions.

We have done this, sir, we have made the funding reductions so that young people in this province will have a future that will mean an education and will mean jobs, not unlike what our forefathers and mothers did in this province. They scrimped and they saved because they knew that a penny saved was a penny earned. And that's what we're doing today.

#### Warman Volunteer Fire Department Mock Casino Night

**Mr. Neudorf:** — Thank you very much, Mr. Speaker. This afternoon I would like to direct my question to the minister responsible for Liquor and Gaming. Mr. Minister, as you know, this is Volunteer Week and many of your colleagues have made statements in this House about how invaluable volunteers are to the communities, and we agree with that. It is unfortunate that volunteer charities and non-profit organizations are finding it tougher every day to raise funds for their communities, since they have to compete with your government's gambling initiatives.

Mr. Minister, a representative from your Liquor and Gaming Commission, a Mr. Gene Humenny, has informed John Thiessen in the Warman Volunteer Fire Department that if it goes ahead with the annual mock casino night, that a complaint will be filed and charges will be laid.

Mr. Minister, maybe you don't know it, but a mock casino doesn't even use real money for Heaven's sake; it's play money.

Could you confirm, Mr. Minister, that this threat has indeed been made?

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I will want to talk to the department responsible; the minister will want to look at this. But I would be surprised if they have a casino that uses play money, or if they're doing monopoly, that there will be any problem with that. But I will certainly check on that for the member opposite.

**Some Hon. Members:** Hear, hear!

**Mr. Neudorf:** — Thank you, Mr. Minister, or Mr. Speaker. Mr. Minister, let me elucidate for your benefit. This mock casino is the only fund-raiser the Warman fire-fighters hold each year. Last year they got between a thousand and fifteen hundred dollars. Then the proceeds from that were used to purchase the jaws of life. This year the money that they will raise is intended to go to equipment to help heart attack victims — equipment that could raise the success rate of revival from 4 per cent to 26 per cent.

After the threat was made, the deputy fire chief basically said, go ahead and charge us. We'll hock our jaws of life and use the money to take the government to court. Then the next time someone has an accident we will tell the accident victim to sue the Liquor and Gaming Commission.

Now, Mr. Minister, if you think that's extreme, how about your government shutting down charitable organizations all across the province. Mr. Minister, how in the world can you justify shutting down fund-raisers whose sole purpose is to save the lives of Saskatchewan people?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Lingenfelter:** — Mr. Speaker, here again we have, I'm sure, an exaggeration, extraordinary, talking

about shutting down all the charities across the province. There's no such intent; the member knows that.

I have already indicated that on this specific issue that he's referring to, I'll have the department check on it. But I'll tell you, when I talk about using play money, the \$15 billion that we have in debt in this province as a result of that kind of an attitude, you would have thought . . . you thought it was play money while you were spending the billions of dollars in very, very strange ways.

**Some Hon. Members:** Hear, hear!

**Mr. Neudorf:** — Mr. Minister, and Mr. Speaker, it's obviously going to be hard to pin down an answer from this minister. I'll be a little more specific. Gord Thompson is the Warman deputy fire chief. And he has requested written confirmation that he . . . and Mr. Humenny had told him this threat. And yet he was told Mr. Humenny doesn't write letters.

Don McRobb, manager of your department's inspection, said he wasn't sure how many organizations had been charged, but felt many had been shut down, Mr. Minister — many had been shut down. And I for one, as a former fire chief, volunteer fire chief of the Hague fire department, find the response of your government being quite unconscionable, Mr. Minister.

Hundreds of organizations in this province hold mock casino nights with proceeds going to worthy causes. Just when did you decide that competition from charities was too stiff for you, Mr. Speaker? And just how many charities and volunteer organizations have you shut down, Mr. Minister — how many?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Lingenfelter:** — This gets stranger and stranger. On the one hand he says we're shutting hundreds of them down; then he says hundreds of them are operating, except for this one here.

I think what is important here, that everyone take note that we will check out the issue. Because what we're getting from that member opposite is absolute confusion, because I'm sure he doesn't understand the issue.

**Some Hon. Members:** Hear, hear!

**Mr. Neudorf:** — Mr. Minister, the point is, these have been operating over the years. They are in the process now of using threats and intimidation to close these down.

Are you aware, Mr. Minister, that the Saskatchewan Volunteer Firefighters Association held a mock casino night, and that the member for Melfort participated? Are you aware that a casino night was recently held by the Crop Insurance Corporation at their big \$80,000 party that they had? As well, Mr. Minister, there was a mock casino held in Saskatoon in appreciation for

responders. And these were held by the Saskatoon Health District Board.

Mr. Minister, why weren't . . .

**The Speaker:** — Order, order. Order. Will the member please ask his question.

**Mr. Neudorf:** — Mr. Minister, you're laughing. But I'll tell you, the people from Warman and Hague who are watching these proceedings are not laughing. The charities are not laughing.

I'm asking you, why are you picking on them? Why weren't those casino nights that I just mentioned raided and shut down by your Liquor Commission? Would you please commit today, Mr. Minister, to reverse this outrageous decision that you are embarked upon, and allow charities and volunteer organizations to raise funds for their just cause.

Or do you also now threaten those two ministers that I mentioned with legal action for their participation in this illicit gambling?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I have clearly indicated to the member opposite that when it comes to the mock casino — I believe it's in Hague although I'll check the record — that we'll check into it. But I would also tell the member that we'll absolutely check into all the members of the Assembly to make sure nobody is out there attending these mock casinos because we will want to make sure that that isn't happening.

Seriously, Mr. Speaker, I can't imagine what the member is so agitated about today. Obviously there's an issue dealing with the Hague Volunteer Fire Department. I said four questions ago . . .

**An Hon. Member:** — Warman.

**Hon. Mr. Lingenfelter:** — At Warman. Well this is how difficult this is to understand because he gets so excited that it's . . . (inaudible interjection) . . . Oh you were the fire chief at Hague? Okay.

I want to get this straight. Because I want to tell you that we will check it out. Obviously for Warman this is an issue. I'll check it out.

But for crying out loud, let's not get so excited we start an investigation into all the members as to whether or not they've been to mock casinos.

**Some Hon. Members:** Hear, hear!

**Mr. Neudorf:** — Mr. Speaker, there's a very simple point. The simple point is that the people of this province want equity and fairness in the system. Now, Mr. Minister, as this scene unfolds here it reminds me very much of the scene from a bad gangster movie. We have "Lucky" over there, he gets wind that the Warman Volunteer Fire Department is trying to

muscle in in his gambling action, so he sends a couple of his gaming enforcers to shut them down. That's the reality of it.

And I'm being asked now, I'm being asked to question . . .

**The Speaker:** — Order, order. Order. I wish the members would just calm down a bit and let the member ask his question. And the member is taking a lot of time to ask his question; I wish he's ask his question.

**Mr. Neudorf:** — Mr. Minister, and government members, what the people of Warman are asking me, is this whole scenario your idea, Mr. Minister? Or does it come from those mob bosses over there, whether it's "Pretty Boy Roy" or "Eddy the Torch" or . . .

**The Speaker:** — Order, order. Order. I think it might be time we recognize another member to ask a question. I wish the member would ask his question seriously.

**Mr. Neudorf:** — Mr. Minister, to the people in this province who are trying to raise money to make up for the default from your government in terms of sponsoring good equipment, they are asking this question: how far are you prepared to go to ensure that you and all of your comrades over there get every dime of gambling action that is in this province? Isn't shutting down a volunteer fire department's mock casino night just a little bit extreme, even for your NDP (New Democratic Party) mafia over there?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I want to say to the member for the fifth time, we will check into this issue of the mock casino in Warman.

But I want to say as well, Mr. Speaker, on a day that there is a great deal of speculation about the Liberals in Ottawa making huge cut-backs to funding to the provinces that we spend almost all question period on mock casinos. I'll tell you that is, I think, the main issue of why that party finds itself at single digits in the poll — simply out of touch.

**Some Hon. Members:** Hear, hear!

### No-Fault Insurance

**Ms. Haverstock:** — Thank you, Mr. Speaker. Because I'm unable to pose my question to the minister responsible for SGI (Saskatchewan Government Insurance), I will ask the Premier.

Mr. Premier, your government convened an eight-member panel to study no-fault insurance, and the panel included Roger Carter, who recommended no-fault insurance in 1976; John Green, the former president of SGI who recommended no-fault in 1976; three SGI lawyers who presumably had to go along or go home; and a doctor from Saskatoon who had been a vocal proponent of no-fault.

From the very outset, Mr. Premier, it appears that they have had their minds made up, and it also appears that this particular panel was rigged to provide a particular answer that you wanted.

What I want to know is, exactly which jurisdictions they studied in order to come up with their conclusions, and upon which jurisdictions they actually did draw their conclusions.

**Hon. Mr. Romanow:** — Mr. Speaker, I note again that with each day in this legislature, the Leader of the Third Party, the Leader of the Liberal Party, reaffirms her commitment to the old politics that she so denounces so often but of course practises daily. Because the thrust of her question is not the substance of no-fault — which I think is an evolutionary next step to take from the very good insurance plan that we've had and has been run fairly well — but the substance of her question is to attack the motivations and the personalities of several outstanding Saskatchewan people who studied this and made a recommendation.

Now if that isn't an example of personality old-style politics attack, I don't know what is. This is a very damaging condemnation, I think, of the Leader of the Third Party. Of course those of us who have been watching know full well that that's exactly what the Liberals are doing — practising old-style politics, because they're one of the old-line parties.

Your question specifically is: what have they studied. I don't know what they've studied; the report will tell you what they've studied. But I presume, since I have confidence in the integrity of these people, that they took into account the considerations of a variety of jurisdictions and a variety of competing views, from lawyers to head-injury groups to other groups, in order to make the recommendations.

Please, Madam Leader of the Third Party, try to elevate the level of questioning a little bit from this old-style politics of personality attack.

**Some Hon. Members:** Hear, hear!

**Ms. Haverstock:** — Thank you, Mr. Speaker. Old-style politics, Mr. Premier, is when one accuses one of casting aspersions on people's character, when in fact all I did was to cite actual fact. They have come forward in stating their biases since 1976 in the province of Saskatchewan — I merely relate a fact to you, sir.

One of the jurisdictions that your government has used for scrapping our public insurance system is the Sobeco Study, the Sobeco report from Quebec, the study of the Quebec no-fault insurance system. And this report recommends the creation of the no-fault system.

Mr. Premier, Saskatchewan bears no resemblance whatsoever to Quebec. We are not rife with densely populated areas, we do not have a network of icy,

busy freeways, and we are not filled with drivers who are renowned for dangerous driving habits.

Mr. Premier, why is it that your panel and SGI relies upon Quebec's answer for a Saskatchewan problem?

**Hon. Mr. Romanow:** — Now, Mr. Speaker, again, I think this question by the Leader of the Liberal Party also is somewhat disappointing and I would say somewhat depressing, because what she does is she fastens in on the Quebec experience and tries to argue that our position is based on the Quebec experience. And I won't ask out loud — I'll perhaps ask, but I won't proffer the opinion — as to why she uses that particular language, knowing full well that Manitoba, which is a province of similar population and similar considerations, has a no-fault insurance scheme.

And why it is that she fastened on Quebec and not Manitoba I think is open for some speculation as to why she would do it. I think the Liberal Party of Canada would be very concerned about that tone as well.

The reality is, Mr. Speaker, that no-fault insurance, as I said, is a people's improvement. We respect the arguments which are advanced by the lawyers and by others who hold a contrary point of view. We know the debates that have taken place, but when it's implemented in Manitoba, as it's been implemented in other parts of Canada, it is an improvement.

Why? Because it allows for at least a capping or controlling of rates. It allows for expeditious settlements without necessarily long court hearings and it also switches the emphasis from injury — although there's injury compensation — to rehabilitation, which is the next step.

And people who are injured want to be rehabilitated. This is a family-oriented program, like labour legislation is; all of the things in this session — that's exactly what the motivation is behind it. This is the policy behind no-fault insurance.

So please, if you ask your questions, take into account . . . and be fair about it. Quebec has got a scheme; we think it's not perfect, but it's workable. Manitoba does have a scheme too — I mean it may not be exactly the same one that we adopt; there are other provinces in this area. Be fair in your questioning.

**Some Hon. Members:** Hear, hear!

**Ms. Haverstock:** — Thank you. Perhaps, Mr. Premier, you consider being fair in your answers. The reason why the second question was posed is because of the Sobeco Study, which was done from Quebec.

Mr. Premier, when Ontario was considering no-fault insurance, a major study was undertaken by Judge Osborne of the Ontario Court of Appeal. And since he had nothing to gain from the decision in Saskatchewan, we can consider, I think, this research an independent opinion. After an exhaustive study of every insurance system of consequence on the North

American continent, at a cost of \$10 million in over 18 months of research, they concluded against the no-fault insurance system.

Mr. Premier, please tell us how this particular study helped you and your government decide it was necessary to scrap our insurance system in Saskatchewan in favour of no-fault.

**Hon. Mr. Romanow:** — Mr. Speaker, again I find it interesting and if I may say so, wildly contradictory. In the previous question, the Leader of the Liberal Party gets up and says, why did you take into consideration Quebec, which has absolutely no implication to Saskatchewan? In this next question, she gets up and she says, why don't you consider the Ontario study, which presumably has every application to Saskatchewan? I got to tell the Leader of the Liberal Party, that Ontario with nine million people and Quebec with six million people — neither has very much applicability if that's the consistency which she advocates.

The reality is we have to design a scheme which we think is in the best interest of the people of Saskatchewan. And the thrust behind this Bill is for families — I've said before — to try speed up the nature of the settlements, to try to make sure that there's a switch from injury to rehabilitation, to try to curtail the rates which are a big worry and a big expense for everybody.

There are good arguments on either side, all sides of the debate. We've taken this point of view; you may not agree but it doesn't surprise me. Because in this session you and your colleagues, the Conservative Party, the official opposition, have opposed absolutely everything that we've done for ordinary families. You've opposed The Labour Standards Act, you opposed The Trade Union Act, now you oppose no-fault insurance. Is there anything you support with respect to ordinary families or is it all for big, big, big business?

**Some Hon. Members:** Hear, hear!

**Ms. Haverstock:** — Thank you very much, Mr. Speaker. For someone who has no appreciation for law and order, nor someone who has any appreciation for farm families, I find that rather ludicrous coming from you.

Mr. Premier, one would expect that you would use professional input from the industry but you never asked for it. And one would expect public hearings but when you were asked by the industry, you wouldn't allow for that to transpire. At the very, very least I believe that the officials in SGI and in the department, in the government, and the advisers should have done their homework.

Mr. Premier, I have a letter that is signed by Roger Carter, the chair of the panel that was set up to study no-fault insurance. And in it he indicates the studies he has never even read. One of those was the most extensive, exhaustive research of no-fault in the

entirety of the North American continent. And he states that he has never read this study. It was free for the asking, Mr. Premier, and he never even bothered to read it.

Why is it that SGI, the minister in charge and the panel in charge and apparently yourself has chosen to change the entire system of insurance in Saskatchewan without even doing the homework?

**Hon. Mr. Romanow:** — Mr. Speaker, the Leader of the Third Party persists in her shameful personal attack on a distinguished former dean of the College of Law, an outstanding lawyer and an outstanding citizen in the province of Saskatchewan. Her attack . . . It's interesting that she will support an Ontario judge — I have no complaints against his study because it suits her case — but will attack those men and women who contributed to our study.

I find this really a very shocking and very disappointing approach by the Leader of the Third Party and Leader of the Liberal Party, but not particularly surprising because we've seen it over and over again.

Look, why doesn't the Liberal Party leader simply come clean, just come clean? You're trying to out-right-wing the right-wing opposition which sits to your right. You're trying to out-bash the working men and women in your opposition to The Labour Standards Act, to The Trade Union Act. You're trying to out-bash them with respect to no-fault. You're out-bashing them in every way that you can in some, I would say shameless attempt, hopefully, to try to get a grab for power.

I will avoid any comment, any comment, about whether or not I have any respect for law and order . . . with respect to whether you have any respect for law and order. But I say, for somebody who believes in the so-called new politics, I tell you, Mr. Speaker, this legislature long ago now knows that that is simply words.

**Some Hon. Members:** Hear, hear!

#### ORDERS OF THE DAY

#### GOVERNMENT ORDERS

#### SECOND READINGS

#### Bill No. 58 — An Act respecting Representation in the Legislative Assembly

**Hon. Mr. Mitchell:** — Mr. Speaker, today I wish to move second reading of The Representation Act, 1994. The Representation Act implements the report of the Constituency Boundaries Commission and gives effect to the motion that was passed by this House on April 13 of this year.

As the members of this Assembly are aware, there were two amendments made to the report of the Constituency Boundaries Commission when it was

debated in this House. Those two changes had no impact on the boundaries recommended by the commission, instead they were changes to two constituency names — Wolf Willow to Wood River and Regina Victoria-University to Regina Victoria.

The Assembly approved name changes to these two constituencies in the interests of making the constituency names more relevant and ensuring that the areas were more identifiable to constituents.

Again, Mr. Speaker, this Bill simply follows from the motion that was passed by this Assembly last week. We recognized and spoke to the goals of reducing the number of seats and of increasing the democratic principles of effective and equal representation during the debate on that motion, and I do not feel it necessary to repeat those in detail here.

Suffice it say that we feel the commission did a commendable job and we accept the report as a substantial improvement to the electoral map of our province.

It is my pleasure, Mr. Speaker, to move second reading of The Representation Act, 1994.

**Some Hon. Members:** Hear, hear!

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, I'd just like to make a few comments before we adjourn and allow all members of the Assembly to reflect a little more on the Bill that's before us before we even expand it to Committee of the Whole and even a passage through the House.

Now, Mr. Speaker, a number of things that were raised by the opposition when the government established a commission . . . and we raised three or four questions. We brought in proposals and unfortunately found that the government wasn't willing to listen to the proposals.

I think, Mr. Speaker, one of the most important things that was raised in the discussion was the fact that when you allow a commission and appoint a commission, maybe what we should have done and this House should have done, instead of establishing and setting out guidelines and limitations on the commission, and basically laying out how many seats would be in rural Saskatchewan and how many seats would be in urban Saskatchewan, how large these seats would be, where the seats would be, and how they would be drawn up, we should have allowed the commission to ability to sit down and assess what the need was in Saskatchewan for, say number one, the number of MLAs (Member of the Legislative Assembly); number two, how the boundaries would be drawn up; and number three, I think the most important issue is the fact that when you're looking at constituency boundaries, you should be looking at the electorate and the electoral vote out there versus the federal census where everyone is involved.

And I think that's one of the . . . as we find . . . and this legislation passes the Assembly and the electoral

boundaries change, we might be very surprised to note, come the next provincial election, the major discrepancy that I believe we will see in constituencies as far as the electorate, the number of voters per riding.

I believe you're going to find that a lot of the rural ridings will indeed have a substantially higher number of voters compared to some of the urban ridings. No doubt there was an attempt to try and balance the number of residents per constituency. But I think when you're looking at constituencies, you don't look at drawing boundaries around a consensus . . . or a census; that includes all individuals.

And I think one of the reasons we suggest that we're going to see some discrepancies is because of the fact that the younger families are moving to the communities and certainly the larger centres where there are jobs available. And so when you've got a family of four and there's only two of voting age, whereas in a lot of the rural centres we have a lot of seniors, it would seem to me that we're going to see a substantial change.

I think, Mr. Speaker, as we have indicated, it would have been more than fair for the government in appointing the commission . . . and I commend the commission for the work they were able to do and the guidelines they were able to come up with and the make-up of constituency boundaries, considering the fact that they were really limited. They were basically hamstrung.

Their review and their ability to go and talk to the electorate actually came into play, took place after this Assembly had already laid the guidelines. And basically it indicated: number one, that there was going to be a reduction of seats from 66 to 58; that the constituencies would be based, the number of the population, the constituency would be based on the consensus. And these were areas that the commission really didn't have the ability to go beyond and to do some major questioning and ask people what they thought.

So I think, Mr. Speaker, what we have here and what the minister has indicated, I believe the commission has done the best with the information that they had and in light of the guidelines that were set around them. They've done a commendable job.

However, Mr. Speaker, I think sooner or later or someday, Mr. Speaker, we're going to have to arrive at a position whereby the constituency boundaries are basically looked at in a format that is totally removed from the Legislative Assembly, if need be. Mr. Speaker, so it's taken out of the hands of whichever government happens to be in power of the day, the government of the day. So that even though this government argue that this was an open forum, the fact is, it was very limited.

And as I've indicated, I think it would be very appropriate for each one of us as MLAs and as elected representatives to allow the public a little more of an

opportunity to voice their concerns with us, and to raise some of the concerns they've got on their mind, raise some of the issues, and throw out some ideas. And possibly, before the Bill passes in the House, the government might reflect on what has transpired, give some consideration — although I doubt it — to some of the issues that were raised, and indeed add some real logic to the Boundaries Commission.

Therefore, Mr. Speaker, at this time I move to adjourn debate.

Debate adjourned.

(1430)

## COMMITTEE OF FINANCE

### General Revenue Fund Women's Secretariat Vote 41

**Hon. Ms. Simard:** — Thank you very much, Mr. Chair. I would like to introduce, to my immediate left, Marianne Weston, the executive coordinator of the Women's Secretariat; immediately behind her, Joan Pederson, the assistant executive coordinator; and to her left, Pat More, director of administrative services, Saskatchewan Labour.

### Item 1

**Mr. Britton:** — Thank you, Mr. Chairman. Madam Minister, I have a few questions I'd like to go over with you in the next few minutes. I think mostly what we want to develop and find out is what progress we have made in the Women's Secretariat over the last year. Most of the questions I have today will probably be in that vein, Madam Minister. We would like to develop some of the promises that you made in previous times and see just how far we've got with some of those things.

Could we start off, Madam Minister, by indicating what you see as the mandate for the Secretariat is.

**Hon. Ms. Simard:** — Thank you very much, Mr. Chair. As I have indicated on other occasions in the legislature, the Women's Secretariat works in partnership with all government departments and with the community to attempt to achieve the goal of equality for women in Saskatchewan. So the Women's Secretariat works to integrate women's concerns into mainstream government planning and policy making.

Government programs and services are available to Saskatchewan people through government departments such as Education, Health, and Social Services. The Secretariat's activities within government ensure that women's particular needs and perspectives are considered in the development and delivery of these services. The secretariat will, for example, consult with women's groups and organizations as well as with individual women to ensure that the diversity of women's needs are considered.

The secretariat provides public education and information to raise awareness and understanding of issues that impact on women.

The secretariat also encourages economic self-sufficiency for Saskatchewan women in whatever way they can.

The secretariat coordinates, promotes, develops, and implements programs and activities of the government relating to the status of women. It provides policy development and research support and services to government. It analyses trends to anticipate and predict women's future policy and program needs.

So it has the mandate to work with other government departments to help influence their policy making to take into consideration the women's perspective. It has the mandate to work with the public, with groups and individuals, to assist women's groups, and to assist women to achieve equality, and to listen and consult, receive their advice, and attempt to implement this at the governmental level.

So it's a very broad mandate to work as a coordinator, if you like, perhaps is the best word, amongst government departments, amongst groups, amongst individuals to try and move us towards a society that's more equal than what it is now.

**Mr. Britton:** — Thank you, Madam Minister. I guess I neglected to welcome your staff; I'm sorry about that. I appreciate the officials being here to help us through some of this.

Madam Minister, last year I think the secretariat set a goal to develop a new mission statement and vision, I think is the way you put it. What have the results of these been, Madam Minister?

**Hon. Ms. Simard:** — Okay, what the Women's Secretariat has set out is that we envision a society which ensures economic equality and social justice for women, and which values women's work whether it is unpaid labour in the home or work in the paid labour-market. We envision a society which ensures the safety and well-being of all women.

And then the next question of course is how do we achieve these goals. And the Women's Secretariat indicates that we attempt to achieve them by expanding employment equity to provincial Crown corporations and other government agencies; through the introduction of occupational health and safety legislation that prohibits harassment in the workplace, which we've already done.

We also attempt to achieve these goals of economic equality through new labour standards legislation which provides added benefits and protections to part-time workers, the majority of whom are women.

We have also introduced the victims of domestic violence assistant Act, which help women who are

being abused by their partners. In that way we achieve more social justice for women.

Through the children's action plan, we are supporting community-based efforts to assist and enhance the well-being of the province's most vulnerable children, a matter that is of concern to women throughout the province, and to men, I might say. But because women are still primarily responsible for children, we tend to think of that as more of a women's issue, although it isn't necessarily. It is a people's issue because there are many men that share those concerns as well.

The Women's Secretariat continues to undertake research policy development and public education on issues of concern to women. This year the secretariat has been given additional resources to provide education and training on the issue of workplace harassment. Those are some of the measures that the government has taken to try and achieve the goals of economic equality and social justice for women, and the goal of valuing women's work, whether it's in the unpaid labour force in the home or in the paid labour-market.

**Mr. Britton:** — Thank you, Madam Minister. Madam Minister, I appreciate what you have said, and I listened, and you talked quite a bit about benefits, social justice, and things like that for women. And I agree with you when you say that perhaps we men turn the biggest part of child raising over to the women. I think we have to plead guilty to that. And I think, Madam Minister, we also have to acknowledge that women do a good job in most cases.

However, I didn't hear you once say anything about trying to re-establish the Sask Pension Plan, which was largely for women, mostly for farm women. And you mentioned about the social justice and because . . . and you mentioned things where women were predominately in the factor. And women were predominately in the Sask Pension Plan, which your party threw out.

Tell me what you have done to convince your party that that is a good plan for women and what plans you have to reinstate that very good plan.

**Hon. Ms. Simard:** — Thank you very much. I want to point out that the government has been able to make modifications to allow people to remain within the plan but at no cost to the taxpayer. And part of the problem that we had with the pension plan was that the provincial government's contributions could potentially disqualify a person access to the guaranteed income supplement — as I'm sure you are aware that that in effect was happening — which was a federal income supplement program. So it was provincial money being put in that would ordinarily have been there from the federal government.

Thus the provincial government dollars were being used in Saskatchewan to reduce the federal government's commitment, which doesn't make a great deal of sense for a provincial government to be

doing that. That had to be changed.

This government is concerned about a relative lack of women's pensions. And The Pension Benefits Act, 1992, reflects the changing needs of our workforce and economy. The Act, as I'm sure you are aware, came into effect on January 1, 1993. It ensures that part-time workers will be entitled to join their employer's plan upon meeting certain conditions tied to hours worked or earnings.

This Act, which was brought in by our government, improves post-retirement death benefits from 50 to 60 per cent of the deceased's benefits, prohibits discrimination on the basis of sex, and provides guidelines with regard to valuation of pension benefits on marital breakdown. This step was taken to ensure that more women will have pensions that contribute to their future security.

Now this doesn't mean that this is perfect inasmuch as there is still many things that we have to do in Saskatchewan to bring social justice for women. However it is a measure that has been taken that will ensure that more women, because there are so many women in the part-time labour force, that more women will have pension plans that contribute to their future.

**Mr. Britton:** — Thank you, Madam Minister. Madam Minister, with all due respect, the taxpayer contributes to your pension and my pension at 9 per cent. What would be wrong with contributing to women's pensions out of the taxpayers' purse? I don't think I heard too much complaint from the taxpayer about the Sask Pension Plan.

And you're talking about the low-wage earner, but you didn't mention the woman who does not work for a salary as such. She is a housewife or a home-maker or whatever term you want to use. And I want to be very careful that I don't sound . . . not like I'm not giving them the full justice that they are entitled to staying home and looking after children. Those women are non-wage earners and under the old Sask Pension Plan they had a chance to have a pension. Where old Dad maybe just forgot to include his wife in a pension plan when he suddenly had an accident or something happened to him, then there was the housewife with no pension.

And I disagree with you a little bit when you say that the taxpayers should not be contributing to a pension plan for a person who is not on a salary as we know it, because they are paying a lot of money into your pension and a lot of money into my pension.

And incidentally, Madam Minister, I can't get out of it. I tried to get out of the pension plan and I can't. So the system forces me into a pension plan I don't want and yet you're telling me that the taxpayer is not willing to contribute a little towards a person that don't have any chance, any place that they can join a pension plan.

I wonder, Madam Minister, if you would reconsider your stand on this.

(1445)

**Hon. Ms. Simard:** — The member's opposite intentions are very good. You know, like I agree that your intentions are good with respect to pensions for home-makers. But let us remember that what the plan didn't do is analyse what the family income was.

And what we found generally was occurring, although this I understand because data was never requested in that particular area by the former government, was very difficult to pinpoint, was that people with very high incomes where one spouse was staying at home because in many cases the spouses who stay at home have a fairly large family income — because if they have a very low income, they could both be working — the government was then funding pensions in many cases for people with very high family incomes.

One has to ask themselves the question as to whether or not government should be funding pensions for people with incomes of 150,000 a year, for example. But if the wife stayed at home, they qualified. So we have to ask ourselves . . . No, one has to . . . Now let me also state that this is relevant when you look at the deficit that was in the Saskatchewan Pension Plan.

The unfunded pension liability left by your government was \$43.2 million — the unfunded pension liability — and it was projected that by 1995 it would be \$80 million.

Now when a government is faced with that kind of a situation, where the taxpayers are paying for pensions for people with family incomes of 80,000, 100,000, 150,000 a year, and you have an unfunded liability of 43.2 million, I think it is important for us to look at how we can increase the pensions for low income women. The problem is low income women, because they primarily are the people that have trouble with security in their senior years.

We want to make sure that people in the lower income bracket, and these are usually part-time workers, I say to the hon. member . . . most of these women who are part-time workers are very low income women. This government has taken a number of steps to protect low income women through The Pension Benefits Act that I had mentioned earlier, through the labour standards amendments so that they can make contributions, and the . . . and so the Saskatchewan Pension Plan wasn't the answer to the real problem, because the real problem is people at the low end of the scale. That's where the problem exists with respect to future security.

**Mr. Britton:** — Thank you, Madam Minister. Madam Minister, you again, I believe, either deliberately or inadvertently, missed the point. You're talking about low income wage earners. And I'm talking about women, and in some cases men, who don't have a salary; you're talking about a \$150,000 wage earner.

Madam Minister, you know very, very well that the

government's commitment was only \$300 a year in any one year, and that was a diminishing contribution by income. And you know that; you know that very well. A person could put in \$20 or they could put in \$300, and after they went over a threshold of \$30,000, if my memory's still working, the benefits were totally gone.

You talked about unfunded pensions. Well, Madam Minister, that pension plan didn't have time to create a surplus, because you killed it. You talked about the high wage earner. Madam Minister, you have over a billion-dollar deficit in the teachers' pension. And they're high earners, but we still contribute to them.

I have a person . . . I'd like to ask you at this time, I wasn't going to, but you have a Marianne Weston who you hired in 1991, 1992, I guess in October, at \$75,000 — \$75,000. Madam Minister, what is that person earning today?

**Hon. Ms. Simard:** — I want to just comment to the member opposite with respect to his comments that we missed the point. Well I don't believe we have missed the point. It would be nice for the government to provide every single person in the province with a pension, man and woman. That would be nice.

But when we are faced with a \$15 billion debt — \$15 billion debt that was drummed up by the members opposite — that virtually cripples this province, that made it almost impossible for the government to borrow money to pay the \$800 million a year in interest on the \$15 billion debt, we cannot continue to fund programs holus-bolus.

It would be very nice for us to be able to just give everybody pensions throughout the entire province, regardless of status. But when we are faced with the kind of deficit and debt situation that we have, the government has to look at its programming and has to try and target its funding so that it meets the needs of those who require it the most. And that's why we've tried to implement policies to help people, to help the working poor and to help people in the lower echelons of society. That's why we are doing that.

The government would like to do a lot more in that area, but we will do what we can afford as we can afford it. And that is the same for the issue with respect to pensions. It is important for us to do as much as we can and still manage that deficit.

So what you have seen is a government that has brought the annual deficit down from something like its projected level of 1.2 billion to 200 million. And at the same time, we have been able to put in place a lot of programming to protect lower income people and poorer people.

Now it's not enough. I agree there's more that should be done, and as we can afford it, we will do more.

Now as to the salary of Marianne Weston, what I have here is a monthly salary of 6,625 before . . . and that's gross.

**Mr. Britton:** — What was that figure?

**Hon. Ms. Simard:** — 6,625.

**Mr. Britton:** — Well, we'll just run that through and find out what that is. That's 80,000 is it? Yes, just about \$80,000. Madam Minister, seventy nine five . . . well if I were to round it out. We'll do the same with that as you do with our debt, which is a totally false statement you made when you said that we ran up \$15 billion — 8 billion of that was yours, left over from your government and you well know it.

So does Marianne get any top-up from the Saskatchewan taxpayer to her pension?

**Hon. Ms. Simard:** — Marianne Weston, like everyone else working for government, would get a pension.

**Mr. Britton:** — Madam Minister, according to your remarks then, she is one of the low-wage earners? You said you were trying to help the low-wage earner? She's entitled to get some pension help, but the lady that's a housewife, has no job at all, isn't entitled to anything. Is that what you're trying to tell me? Madam Minister, I don't agree with your logic.

The other thing I'd like to comment on is your statement that you reduced the deficit. You know and I know and any other person that's out there listening that pays any attention knows that your billion-dollar deficit was bogus. It was bogus. And we'll be developing that a little later as to what you're using to get the deficit down. So I wish you would stick to the truth, Madam Minister, and not lead the people off on a tangent.

I have asked you what plan . . . what have you done for those people that you took off of a pension. You're telling me that you have done great and wonderful things, but you have all of the . . . you talk about a deficit in the pension. But you give the teachers, you give me, you give me help in my pension, but you won't give any help to those women, mostly, who don't have a chance to get into any pension — nothing whatsoever.

What is your plan for those people? And please don't get up and talk about the people on minimum wage. We're talking about people with no wage.

**Hon. Ms. Simard:** — Now with respect to the member's comments as to how come we're paying employees' pensions when we don't pay women who are in the home pensions, and I want to say that obviously in government there are contracts with employees that require pensions to be paid. And pensions, by their very nature, are paid for by the employee and the employer — they're doubly contributed to.

Now as to what are we doing for women who may have been on the Saskatchewan Pension Plan or who may be poor women or women of low income. Let me tell you that government programs and services

directed specifically to women for this year totalled 26.7 million, an increase of 12 per cent over last year.

Now all government services impact on women directly or indirectly. So if you took into consideration not just services targeted for women but all government services which impact on women directly or indirectly, it would be much higher than 26.7 million.

Now this year the budget contained the following: a \$4.4 million to programs under Saskatchewan's action plan for children in the '94-95 budget. What does this plan include? It includes preventive programs and services and supports to vulnerable families. It includes expansion of the screening program for breast cancer throughout the province, which is applied to any woman, it doesn't matter what her income bracket is. It's the only one of its kind in Canada.

We now have breast screening throughout the entire province. Screening services will be much more readily accessible to women in rural communities and northern communities.

We've introduced amendments to The Labour Standards Act which include improved protection and benefits to part-time workers, a high percentage of whom are women. We are improving maternity and family-related leave for women as well as other amendments to better working conditions for women.

New legislation has been proposed which is intended to provide immediate protection to a victim of domestic violence. And some of these women that you describe fall into the category of victims of domestic violence. And we introduced legislation to provide them with immediate protection and to provide additional remedies for matters such as compensation for monetary loss that they might experience as a result of being a victim of domestic violence.

(1500)

We are allocating funding for '94-95 for community-based outreach services, support to existing services, and services to aboriginal families. The government is working with communities on initiatives that will begin to provide services to victims of family violence in their communities. Funds will be allocated for aboriginal services in northern Saskatchewan. Both of these areas were previously under-serviced for victims of family violence and sexual assault.

It is usually women that benefit from this policy. We are expanding as well, for these women that you've referred to, the approach and services of the Unified Family Court across the province to ensure that the justice system more better meets their needs.

We are appointing a Children's Advocate who will engage in public education on the needs of children and youth. And as I said earlier, this is also beneficial

to women because children are of concern not just to women, but to men and women; but because of the way society is structured, women primarily accept this responsibility.

In 1994-95 funding is being targeted at teen parents to ensure they are given the necessary supports to complete high school as a step towards independence and self-sufficiency. That's some of the women that you're talking about, sir.

Funding of 90,000 has been allocated to develop 18 additional teen-infant spaces. Funds will be targeted to northern Saskatchewan. In '94-95 over \$1 million, a 10 per cent increase, will be provided to the enforcement of maintenance orders. Some women in Saskatchewan have had difficulty in enforcing their maintenance orders. We have increased funding to achieve this enforcement. And I know that you agree with all of those measures because I've heard you speak about it in the legislature that you agree with that general direction.

Financial assistance is provided through the forgiveness or remission of Saskatchewan student loans. Many of those are women; the majority in fact of whom are women — or single parents rather, of whom are women.

We are pleased also to continue to support partnerships which have developed between school boards, municipal governments, community agencies, service clubs, businesses, and churches to respond to the needs of hungry and disadvantaged children. And this helps women.

So . . . and I mean I could continue. The point is however, the point is there is some \$26.7 million, an increase of 12 per cent over last year, in government programs that are specifically directed to women. So the government has made a very firm commitment to work on improving the lot of women.

What you will notice in the things that I have outlined, in most situations it is the lower income people that will benefit from this programming — in most situations. The breast screening program is province-wide. And victims of domestic violence do come from every walk of life, not just from poor families; they come from well-to-do families, middle-class families, and poor families. Those programs are universal, but much of what we do provide is targeted to women in lower economic brackets.

**Mr. Britton:** — Thank you, Mr. Chairman. Madam Minister, you continue to amaze me.

All of those things you talked about are commendable. I didn't hear you use the word "pension" once, and I thought we were talking about pensions. I'd like to know what all that big long diatribe, I guess, had to do with pensions. You're talking about all the good things you're doing. Why couldn't some of that money been diverted into the pension plan? You're spending the money but the people are not getting a pension.

Now I can see that you and I are going to go on all afternoon here trying to get you to tell me what you're going to do about pensions, and you're not going to do anything. I can assume that because when I ask you a question about pensions you take me on a big trip around the world about what you're doing.

Now, Madam Minister, if you'd have kept on another two or three minutes, you'd have covered all the questions I needed to ask, because you never answered the question that I asked you. Will you change your mind and approach your colleagues and try to reinstate the Sask Pension Plan for those women who experience abuse and all those good things you talked about but in the same time after all that is said and done, when you've done all the good things you talked about, they still don't have a pension? Can I get that through to you? That was what I'd like to develop with you for a few minutes.

Now if you're going to get up on your feet and say, no, fine, we'll carry on with something else. So don't give me a bunch of garbage about what other good things you're doing. I know; I have some quotes from you here, Madam Minister. So I know all those things. Would you give me a yes or a no on the pension?

**Hon. Ms. Simard:** — I have already indicated and the government has indicated to the member opposite that with respect to the Saskatchewan Pension Plan, it was a question of the government dealing, number one, with the deficit, and number two, having to set priorities — having to set priorities. When you have a \$15 billion debt, it's important for government to set priorities.

The government's priorities are dealing with victims of domestic violence, are dealing with teen moms, are dealing with ensuring that part-time workers receive benefits, most of whom are women. The government's priorities are in dealing with making sure that women who have trouble enforcing maintenance orders can enforce those maintenance orders effectively. They have to do with children who are hungry and who can be part of the children's action plan, children who will benefit from that. It is a question of setting priorities.

The Saskatchewan Pension Plan had a \$43.2 million unfunded liability — \$43.2 million. It's a question of priorities when you're faced with a debt that's crippling the province. That's what the issue is.

Yes, it would be nice to give everybody in Saskatchewan a pension. Yes, that would be nice. But when you have a \$15 billion debt, you say to yourself: what are my priorities?

My priorities are first of all victims of domestic violence. My other priority is teen moms. Another priority is children who need more advocacy, who are living in poverty and who can benefit from the children's action plan.

Those are the government's priorities. That is why the government decided to move as it did on the

Saskatchewan Pension Plan and instead put some \$26.7 million — 12 per cent over last year — in the programs that I have taken some time to outline to you.

**Mr. Britton:** — Thank you, Mr. Chairman. Madam Minister, I take it from all that the answer is no, so I will accept that as no. But I can't quite understand why you talk about an unfunded pension of \$43 million. The school teacher's pension is \$3.5 billion in debt, in arrears. Are you going to cut their pension off too?

You've still got that . . . you've got about \$17 billion debt now; two more billion tacked on since you've become government and you're still helping these people with a pension. Why is 43 billion — or pardon me 43 million a big debt where 3.5 billion, going back to 1934, is no concern of yours? Well that's not even talking about CUPE (Canadian Union of Public Employees), what their pension plan is in debt.

So, Madam Minister, I guess from what I hear from you is that there's no use even talking to you about it. It's like the mayor from Melfort said, I think it was Melfort, suggested that it was about the only way to get your attention — and I won't repeat what he said.

So let's go on to a few more things that maybe you'll answer.

The committee reported progress.

(1515)

## COMMITTEE OF THE WHOLE

### Bill No. 32 — An Act to amend The Labour Standards Act

#### Clause 1

**Mr. Goohsen:** — Thank you, Mr. Chairman. Well, Minister, it looks like we get a chance at long last to discuss The Labour Standards Act. And we certainly have a lot of questions about this Act. It's rather a complicated Act with an awful lot of ramifications and implications for the people of our province; and of course, that covers the broad spectrum of people, from the workers who actually have to be in our province making their living to the businesses that of course can offer jobs, whether they be in Saskatchewan or located somewhere else.

Unfortunately, while The Labour Standards Act wasn't amended for some years and there seemed to be obviously a need to have the Act updated to bring us into the 20th century, so to speak, it appears that you have swung your pendulum far past centre and have missed the centre of balance and reasonability from all points of view with one exception, and of course that exception being the leaders of the labour movement who find themselves in a position of achieving massive power take-over from government and from the people. Unfortunately this leaves the people in our province without the ability to actually find new jobs and work. This legislation, as you have drafted it, appears detrimental, mostly to the workers

of our province.

Now I will admit that most of the letters and correspondences that I've had have come from the business sector who have very vocally expressed their distaste for the Act and given us a good detailed background of the things that they find wrong with it.

At the same time, I will say that even though I have had just a small amount of correspondence and conversation, personal and through telephone, with workers, their point is well taken even though not large in numbers; that those that I have talked to have had a very good point, and that is that they feel that they, the workers of the province, are more hard-done-by than business because of the mere fact that the legislation will drive their bosses out of business or cause them to relocate to other provinces, and as workers, they feel they may have to follow the employers to other provinces in order to get work. In other words, they will have to abandon their homes, their roots, their families, and their way of life. And they find this to be very distasteful.

Many of them say that the machine that you were trying to fix wasn't quite as badly broken as the repairs that you're putting into it would indicate. And so in other words, you're fixing something that wasn't broken. I guess we're saying you're over-fixing it.

You may be ahead of your time. And perhaps in 10 years, if the rest of the world were to catch up to you, that's maybe what history will record. Maybe they will record, Minister, that you were a man ahead of your time, that you got Saskatchewan a full stride ahead of the rest of society, and you may be touted as being a leader in society for that and you might even go down in history as having shown some direction.

Unfortunately there is a negative side to this. And if you . . . and obviously you have. You've read your history and you've studied history. You've alluded to it. You've alluded to the history of England and child labour laws and those kinds of things and the Industrial Revolution and the hardships that occurred during those periods of time with labour strife.

And no question, we are going through that same cycle again. History is repeating itself, and we in Canada are caught up in that this time because we're no longer a frontier. We're now a part of that industrial revolution where jobs are harder to come by and harder to create. And meaningful reasons to live are things that are being challenged by people.

We are probably into an era, Minister, where we're looking at labour standards to take us in the direction of 32-hour work weeks, as being advocated in France. Now obviously that's a little bit ahead of where we're at. We probably could go down to a 36-hour week and spread our jobs around. And those are the kinds of things that we're facing in our society.

So we've got to be really careful, I guess is what I'm saying today; that we've got to be really careful when we change our labour standards so that we don't

change them in such a way that we defeat the purpose for which we are all here, which is to try to make society better.

And whether you're on that side and I'm on this side, or we belong to different political parties with different philosophies or not, I think that it's reasonable to assume that we entered politics for the same reason — that being to try to bring about a better condition of life for the people that we represent.

How to achieve that, that's the question. And I'm wanting to go into some detail on how we should change the amendments and how we should in fact go about structuring this law and maybe tempering it through the regulations which you still have as an open option to you.

And I'm going to ask you to give us, as we go through this process, some idea of where those regulations will lead us and where this legislation will lead the province. And having started this in a rather general and all-encompassing type of debate-type question, I think it's only fair that I now give you a chance to respond to where you think you're going with this legislation in that very general and broad term of how you see society evolving out of this whole process of change, and how you believe we are going to better society with it and where the jobs are going to be created and how you intend on making this work.

**Hon. Mr. Shillington:** — Well I shall do so briefly, in part, because I've already done so in previous days. But let me just summarize the comments which I have made.

Since The Labour Standards Act was last updated, there have been enormous changes in the workplace, in the workforce, and in attitudes in the market-place. The workplace has been revolutionized by the introduction of the microcomputer. As I have pointed out before, the last time The Labour Standards Act was revisited was one year before IBM came out with the PC (personal computer).

There've been enormous changes in the workplace. It has changed the way workers work; it has changed the way managers manage. The workforce has changed. Perhaps partially as a result of the introduction of computers, but partially for other reasons, the number of part-time workers has increased.

This legislation doesn't say that part-time workers are a bad thing. It does say that we need to provide some minimal protection for part-time workers and that we cannot leave them at the whim of their supervisor.

And most supervisors and most employers are good employers. They take a pride in the way they treat their employees. But not all. And the whole basis underlying this legislation is that there should be some minimum standards which even the bad employers have to meet. And that is particularly true with respect to part-time workers.

Attitudes have also changed. There is a new competitiveness in the market-place, which I think most observers believe was not there a generation ago when this was last revisited. Some would call it a ruthlessness. This manifests itself in a number of ways, but particularly these amendments I think grew out of that.

There isn't any evidence at all that there's going to be any rise in unemployment because of these amendments. There's lots of scaremongering, but no evidence that that's actually going to be the case — indeed very little of rational argument that that's going to be the case. What people are making is simply a number of bald statements. And I've heard very little rational argument and no evidence at all that that's going to be the case.

So those are the basis upon which I refute the concerns expressed by the member from Maple Creek.

**Mr. Goohsen:** — Well, Minister, that leads us into one of the subjects that I did want to discuss with you. Now yesterday in this Assembly you said to me and the people of this province that you had no evidence whatsoever that these Bills are going to hurt business or employment in Saskatchewan. Here is the reality, and I'll quote you your words. You said, those are your exact words: show me the evidence. That's your quotation. And I'm going to do that right now.

But first let me say that in second reading debate you obviously were around here somewhere. And I delivered to you during those second reading debates letters and correspondences that we had received from all across this province. I led you through a geographic turn through the province. I led you through complaints from workers, complaints from business, and complaints from everybody in between. And I led you through that in a discussion that took in excess of four hours of time to do.

But not once, as far as I'm aware, did I ever repeat a piece of evidence that I used and presented to you. And it took me that long to present all of the evidence from all of the people that we had been in touch with. And many of them that we had received were rather duplicated and so we didn't even present them. We tried to present one of the better ones of those that were fairly similar. And a lot of the cases that were made for the arguments of course ended up being quite similar. They were all against what you were doing.

But after that many hours of presenting correspondences and messages from all over the province, you say: show me the evidence. What do you call evidence? If the message from the people isn't the evidence that they're against what you're doing and that it's going to hurt, what would we have to do? Call in Chicken Little to drop the sky on your head? I mean we must have to do something pretty dramatic.

So what we're going to do is we're going to present you with another piece of evidence because here

now, just a few minutes back, you say there is no evidence that this legislation is going to hurt our province. So I give you some more evidence:

Urgent message (it says). Dear MLAs: Re: Proposed changes to The Labour Standards Act and The Trade Union Act.

And I will quote from this as another, further piece of evidence. I'll even put my glasses on so I get it straight.

We have recently reviewed the proposed changes to The Labour Standards Act and The Trade Union Act. These changes are ultimate pay-offs to the trade union hierarchy. Such changes will increase labour costs and inhibit our ability to manage and operate our businesses as entrepreneurs. Consequently, these amendments will severely reduce our ability to compete in the global market-place.

During these tough economic times we can ill afford to bring in such drastic changes. If we want to create jobs for our young people and attract businesses to Saskatchewan, we must bring in policies that are similar to other jurisdictions.

Perhaps it is time the government got its priorities straight and finally lived up to its election promises to create jobs. Such a commitment is necessary to stop the exodus of young graduates from Saskatchewan and keep existing businesses in Saskatchewan.

What new business would move to Saskatchewan with such restrictive labour legislation? As politicians, you were elected to represent the taxpayers of this province and not the special interest groups, namely the unions, who represent a minority of the voting public.

We pay a significant sum of both personal and corporate taxes to provincial coffers. Currently, 80 per cent of our revenues come from out of province. We must state emphatically that if the proposed changes go through as tabled, we will relocate in another jurisdiction within a year.

Alberta's favourable tax system, together with their reasonable labour legislation, looks very inviting. We know of many other companies considering a similar move.

End of quote, Mr. Minister.

**An Hon. Member:** — Bye, bye; let them go.

**Mr. Goohsen:** — And the member from Regina, who has constantly supported a left-wing, communist viewpoint in this Assembly, chirps from his seat, let them go; get rid of them — chirps from his seat, let them go; get rid of them. Obviously all he'd like to have left in Saskatchewan is the 10 per cent of workers who are presently unionized and would be forced to stay. Then we could cut this Assembly down to three

MLAs, and that would be the end of it.

Mr. Minister, you wanted evidence. I present for you today this letter as evidence of a culmination of hundreds of requests and applications that we have had to bring to you some common sense in your labour legislation.

(1530)

Now the man from the press will say this is right-wing rhetoric. Because he has to try to find some way of expressing extremism to get his readers. What we are doing here in reality in today's society is trying to bring you to the middle of the spectrum. Those philosophies of the 1970s that would have been considered to be right wing are today in society considered to be middle-of-the-road moderate. That happens to be a reality of political life in North America and around the world.

Therefore the man from Rosemont is out of tune with the times. And he'd probably better find a better jurisdiction to live in and to represent because he no longer represents the people of Saskatchewan. None of them. He's a dinosaur in disguise — a political one — for sure.

Mr. Minister, you wanted evidence. This is evidence. How do you comment to this evidence that I present to you here today, signed from Victor Jensen, the controller of Mechanical Management Services Ltd.?

**Hon. Mr. Shillington:** — I don't wish to be disparaging of the author of the letter. I am sure the author of the letter expressed genuine concerns. And as a matter of interest, if that's evidence of anything, it's simply evidence that the person is concerned. It is not evidence that this legislation is going to result in any loss of economic activity. It's simply evidence of concern.

But I say to the member from Maple Creek, and I say to the members of the Assembly who are participating in this debate, every time anyone suggests that there ought to be anything done to protect the rights of workers, somebody says, if you do it I'm leaving the province.

I have seen this happen time and time again. All I can say to members of the Assembly is that the threats are always made and that's almost always all it ever is, is threats.

If people . . . and I don't want to personalize this and, as I say, I do not want to be disparaging of the author of that letter; I'm sure his concerns are genuine — but I say to people who write such letters and to others, it's more helpful if you could tell us why it's going to destroy your business rather than just follow the example of the member from Maple Creek and make these bald statements that this is going to be a devastating piece of legislation.

It would be more useful if you told us why you thought it was going to be devastating, rather than simply

making these bald statements. All the authors of those letters are doing is repeating the mistake that you've made, and that's simply make bald statements.

**Mr. Goohsen:** — Well thank you, Minister. You just opened up the door for me to start repeating parts of *Hansard* from that four-hour discussion we had. Because in that four-hour discussion what we did was quote to you item after item of proof of exactly what people thought would be detrimental to their businesses, the specific items that they thought would cause them their problems.

And this is the book of *Hansard* and this is what we're going to start going into if that's the way you want to play the game, like you never heard it before. For four-and-some hours we told you of specific examples of exactly how each businessman and each worker thought he was going to be hurt by this legislation. Not because they didn't want some changes to make things better, but because you've gotten too extreme and you've gone too far.

And you refuse to give people the final definition of your regulations. And the reason they don't trust you is because you did exactly the same thing with The Workers' Compensation Act, which incidentally came in with regulations, after the time in which you promised them faithfully in this Assembly that there would be a 10 per cent increase only in the fees. And we have numbers of cases of people that wrote to us and showed us the mathematical examples of 100 and 200 per cent increases in their personal businesses where they were increased.

And they don't trust you any more because when you say 10 per cent, that might be for some people, but for many of them it could be anything to 100 or 200. And in the regulations for The Labour Standards Act people are saying, here are the specific things that are wrong that we see right now, plus we don't trust you because of what you've done in the past. Your track record is not good here.

This is a chance for you to redeem yourself. I open the door for you. This is your big chance. You can be a hero in Saskatchewan. Show the people what your regulations are going to be out front and then they won't be worried. Give it all to them before you make this law. People have said: let's table this legislation until this fall; we'll come in for a couple of days or a week, after you've had the summer to go through it and set up the regulations, and we'll do her.

But no, you're intent upon saying you never heard it. Well all I can say to that, sir, is that maybe you ought to read the *Hansard* if you weren't around to listen to the debate. Because it's all there, and there's certainly a lot of examples, and we can dig you up a lot more.

But I think, Minister, that we ought to get into more specifics, because even though we did this for four-and-some hours before, we've even got some more evidence, as you like to call it. And we'll present it to you as evidence and we'll ask you questions about this evidence as we go.

Now an independent businessman of the small business has shown us in a very concise way in his letter a lot of the very generalities brought into a tight-knit circle in a small, short letter. The Canadian Federation of Independent Business doesn't approach things quite that way. They don't go into a round generality that's concise and neat, in a small package; they become more specific. And I think it's only fair — because I haven't included them very much in the last discussion we had — that I present to you some of their more specific and detailed explanation of the problems that they have.

And I'm going to have to quote from this piece of work of theirs so that you will understand where they're coming from and I hope that you will make comments that will be positive in the direction of bringing them some comfort today in the worries that they have about this legislation.

We have here the analysis of House amendments, revised April 14, 1994, to amendments to The Labour Standards Act, tabled March 11. And we have first some general comments and then . . . which I think we should get on the record for you seeing as you seem to not know what happened in the second reading debate. So to refresh your mind we will go into this because it does summarize to some extent.

Under the general comments, the Canadian Federation of Independent Business is still very concerned about Bill 32.

We believe that rather than delay proclamation of certain sections or flesh out crucial details by regulation away from the scrutiny of the legislature, the entire Bill should be pulled until the whole regulation-making process is completed first.

Very simple request, Minister — put down what you're planning on doing, lay it out for them. That's what they're asking for. They want to see what the results is going to be to their lives before you make a law. They don't want you to put them in a position of having to sign a blank cheque. I don't think that that is an unfair or unreasonable request in a democracy.

A dictatorship is different. You haul out your gun and you say, you guys all get over there and you go to work and you do what I tell you. We happen to think we live in a democracy where we negotiate how we live and how society works its problems out.

And the member from Saskatoon doesn't agree today. The Minister of Social Services says this is not how it's done. Now this is an amazing thing. Of all the people I thought would be fair about labour standards, this person disagrees with the Canadian Federation of Independent . . . from his seat today. So I guess we'll have to give him an opportunity to get into this debate as well.

But for the moment I want to bring you the message of the Canadian Federation of Independent Business

which goes on, and they say that they have also analysed the supplemental House amendments of April 14 very carefully and compared them to our discussions with senior government officials of late March.

In particular, we have compared them to the document of intent in principle entitled, Labour Standards Act Technical House Amendments, which was hand delivered to the Saskatchewan business groups in a meeting at 9 a.m. March 31, 1994.

In our view, the latest technical amendments provide very cold comfort to the business community. In many cases, the drafters of this latest set of amendments still fail to capture what we thought was agreed upon in recent discussions, and in some cases the government has created even more difficulty for employers through these latest April 14 amendments.

What is that saying to you, Mr. Minister? Isn't that saying that you told them one thing and now you've done something else? It smacks loudly and clearly of a betrayal to me, where you meet with people and you agree to things and then you write up the legislation opposite to what you've agreed to. There's no other explanation for that and no words that can be used in the parliamentary process that fairly describe that kind of action.

So I'll just carry on with their opinion here:

In the remainder of this paper, the Canadian Federation of Independent Business shall indicate why we continue to express our profound disappointment with Bill 32.

In addition, it is important to remind the Saskatchewan government that since initially tabling Bill 32 on March 11, 1994 a long list of other concerns have been totally neglected.

A long list of other, residual concerns never was reflected in documents of March 31 or the supplementary amendments of April 14.

And this list includes . . . Listen up, Minister, we're even going to give you the list of the things that are wrong here, the things you've missed. What more can you ask for than to have people present you with all of the information that you were asking for. You want evidence, we give you evidence. You want to know what you missed, now they're going to give it to you and I'm going to be the spokesman and present it for you so you can hear.

It says:

- no changes to the unworkable new definition of "day";
- no change to the new and costly extension of mandatory pay in lieu of individual layoffs, including a portion thereof;

- no change in new and costly extension of definition of allowable break in service;
- continued imposition of a new reverse-onus test for employers to prove they cannot reassign the workplace to accommodate disabled workers;

Also:

- continued duplication with Human Rights Act;
- no Act clarification on employer obligations for night transport of workers;

Interesting here, that someone told me that this part alone could cause some mining industry people, could cause them to have to provide individual taxi service or individual bus service or a chauffeured limousine for workers that work perhaps 20 and 30 miles away from different mines out in the country within our province. People that now drive their own vehicles from a farm, perhaps to work, could insist upon having a taxi service provided for them.

These are the kind of things you haven't considered when you wrote your legislation in this very broad and general wording. You've allowed too many doors to be opened and nothing that is for sure.

It goes on here to say that:

- no changes in new one-sided wage assessment appeal process;
- no change in a new, potentially politicized arbitrator selection process;
- no change in new whistle-blowers' protection clause, including continuing potential for frivolous reporting; and no ability to penalize frivolous or vexatious claimants;

The next one is:

- new and very massive regulatory powers remain, i.e., a huge regulatory leap of faith with serious doubts as to whether there will be good-faith consultation process with this government's Department of Labour;

These are very important, Mr. Minister.

And here, the last one that they've got on this particular list is:

- continued rejection of the Canadian Federation of Independent Business's call for legislated guarantee in the new Act to at least pre-publish any regulations for 60 or 90 days prior to a final order in council approval away from the legislature.

In other words, Mr. Minister, what they want for you to do is to lay out for them what the rules are so that they can at least respond before you make it law. And in this process that you are adopting, you've passed legislation that allows an order in council or a decision by cabinet to finally decide what the law will be and how it will be interpreted.

In a democracy, my friend, that is not fair because that's not democracy; this is dictatorship of the highest order and of the most revolting form to all people in this country and in North America. If you tried to pull this in the United States of America, you'd have a revolution on your hands. Absolutely, without question in my mind, this would be a revolution. People would not tolerate this kind of dictatorial approach to creating laws.

You're putting a gun to the heads of the people of Saskatchewan and you're forcing them to accept laws that are made behind closed doors and ratified by a cabinet of extremists in the highest order.

Minister, I've told you what I think and I think it's only fair that I let you respond to the Canadian Federation of Independent Business's list of concerns that they feel you left out. Tell me how you're going to handle this list of concerns and what you're doing with them.

(1545)

**Hon. Mr. Shillington:** — Let me say with respect to the . . . Let me say generally, I am not sure what the opposition would do to fill in the hours were they not able to quote Mr. Botting's lengthy letters.

Let me say also, with respect to the regulations, I hear what Mr. Botting says and what you've repeated on his behalf. I do not believe that represents the mainstream view of the business community. Most people in the business community want the process which we have set out, and that is the regulations will be drafted in a consultative process and by sectorial committees.

So I hear what Mr. Botting says. I dispute your comment — or the implication in your comments — that that represents mainstream thinking of the business community. I don't think that's accurate.

Let me make a comment about one or two other things you said. You pointed out that we had promised that they would see the regulations in the WCB (Workers' Compensation Board) before it was proclaimed. There were no regulations under WCB. There may be some changes in the regulations but none were contemplated in accompaniment with the Act.

You indicated we had broken our promise with respect to ten and a quarter . . . ten and a half per cent. Everyone but the member from Maple Creek understood that when we said it would cause an increase of ten and a half per cent, that was an average, and that individual assessments might make that ten and a half more or less.

And of course there are some who are higher and of course there are some who are lower. The average was ten and a half per cent. And virtually everyone at this point in time admits that the Workers' Compensation Board and the Department of Labour delivered on its commitment to hold costs to ten and a half per cent. Virtually everyone admits we did that.

And virtually everyone admits that all the doomsday scenarios of 200 and 300 per cent increases were exactly that.

Member, as well, you mentioned the matter of night transportation. I want to take a moment to discuss this because this did cause some confusion. Heretofore in certain industries night transportation — particularly the service industries — night transportation had to be provided to everybody in every nook and corner of Saskatchewan.

It was true for the cocktail waitresses who worked in my riding in an industrial area of town where frankly they do need transportation, both because it's expensive and because it isn't safe to go out on foot at the time they're off duty. But the rule also applied to nursing home workers who worked in small communities who drove home perhaps some tens of miles to a farm home.

The old rule didn't make any sense because it was of general application. The new section states that the Minimum Wage Board has the discretion to determine when night transportation should be granted. And once it's understood, and for those *au contraire* to the member from Maple Creek, to those who have actually taken time to read it, it makes a lot more sense than the old section. And I think most fair-minded people admit that at this point in time.

I hear what you say with respect to the Labour Relations Board. You make two comments. One is that we have politicized it. Bunk, that's just bunk. We have . . .

**An Hon. Member:** — Good word.

**Hon. Mr. Shillington:** — Yes, it is. I take it from a distinguished source. That's just nonsense. The appointment process for Labour Relations Board hasn't changed in a long time, except that there will be appointed for fixed terms.

Now surely the member opposite has got to admit that provision, whereby they get fixed terms, depoliticizes the Labour Relations Board because it removes them from any influence from the government of the day until such time as they're up for appointment or reappointment. So this process depoliticizes the Labour Relations Board.

It is true that there are additional powers given to the Labour Relations Board. This is a subject of which honest people will disagree, and I think you and I will probably disagree on this. My impression has been most people agreed that decisions with respect to collective agreements should be determined before

the Labour Relations Board and not in a court of record, not in a court of law. I think most people agreed with that.

We have taken the additional step of ensuring that the process by which the arbitrators, in the atmosphere of which the arbitrators . . . the atmosphere in which the members of the board work is depoliticized.

With respect to the regulations, I can only repeat my comment which I made at the beginning, and that is that the process we have chosen has the general endorsement of most people in the trade union movement and most people in the business community.

**Mr. Goohsen:** — Thank you, Minister, for at least starting to explain some of the rationale that you feel you've got behind your Act.

In the area of night transportation, of course, you explain to us now why it is necessary to have that in certain sectors. I don't think anybody ever disputed the fact that nurses who have to leave a workplace at 2 o'clock in the morning shouldn't have some kind of protection to make sure that they get home alive or unharmed or even threatened in any way.

However, what we're saying here is that when you draw up a very general piece of legislation that doesn't have some kind of descriptive language with it, you can end up having people interpret that legislation to mean transportation must be provided in areas that it would be totally and absolutely ridiculous because it would be too costly in terms of the fact that there is no risk.

And I'm suggesting to you that men who leave an oil rig in south-east Saskatchewan and drive 50 miles to a motel are not likely to encounter any kind of trouble, other than that which they create themselves, and therefore to have them put in a position where they can demand their employer to provide transportation is unfair and unreasonable and downright foolish.

And to be quite honest with you, Minister, things that are done wrong and aren't properly organized and properly done, we can refer to that as . . . or if we suggest something that isn't exactly true, that can be called a little bunk. But when it's a whole bunch of wrongs, it's bunkum — that's a pile of it. And there's been an awful pile of bunkum in this labour legislation.

So I want you to explain that travel thing a little more carefully because I think we're on the threshold here of having you admit to us that you're going to write these regulations so that the silliness will be taken out of it. But you just haven't had the courage to put that in words yet.

And I want you to do that, and I want you to also then go on to explain the problems that the business community has in the one-sided wage assessment appeal process.

**Hon. Mr. Shillington:** — Well the opposite is true with respect to the wage assessment. Additional protection is given, not less. The labour standards officers have heretofore had the discretion to assess wages which are not paid in order that they be paid — that's not new. What is new in this Act, one of the things that is new in this Act, is an appeal process to a list of arbitrators and that in fact gives people who are the subject of an assessment additional protection, not less.

The system of assessing for wages is not new. What is new is that they have a right of appeal from that to a simple, quick, inexpensive process — the list of arbitrators. So that indeed is not new.

The only other thing that I guess that's new, which the member didn't raise but which I would draw to your attention before the vote is taken on this section, and that is that we have in this Act a renewed provision, I guess I should say, whereby third-party demands can be made to ensure the collection of wages. That's new.

But from the point of view of the business person who wants protection, what is really new is that they have an appeal process.

**Mr. Goohsen:** — That poses a question that strictly comes from my background. In this appeal process for wages . . . and certainly I see some need for that actually out in the community; I've actually been approached by people who haven't been fairly paid. And in my past life before I got into this business, I sat on the board — agricultural employment board — where of course some agricultural workers are treated somewhat unfairly. So does this appeal process also extend to farm workers?

**Hon. Mr. Shillington:** — No, really it does not. The Labour Standards Act does not extend to farm workers. That was the subject of considerable debate about which argument was made both ways.

At the end of the day, we had decided that we would not include the farm workers. The thinking was that while there a need for some at least minimal protection of farm workers, there is also a need for a much broader consultation with the farming community before that's done and that really did not take place here.

The consultation process was such that we had very little contact with farmers or farm families and before we include them in the Act, we would want a much broader consultation than we had this time. So they weren't included and partly because their employers, the farmers, were not consulted. Having said that, I would concur with your comment that there is on occasion a need for additional protection in some areas for farm workers.

**Mr. Goohsen:** — Thank you, Minister. Would it be fair to say then that farm workers who have a problem getting paid have to go through the small debts claim process? Is there any assistance for those people in

that process if this isn't included in this Bill?

**Hon. Mr. Shillington:** — I regret to say there isn't. That gave us considerable cause for concern when we were drafting this. I regret to say there isn't any assistance for them. There is, I think, a broad school of thought which suggests that needs to be changed. But before we do it we need to consult broadly with the farming community. That just was not done, and so we did not proceed with those amendments.

**Mr. Goohsen:** — Are you anticipating conducting such a consultative process in the near future?

**Hon. Mr. Shillington:** — Actually, I think we are. I'm not hereby announcing government policy. I'm just trying to glimpse into the future and it's always cloudy and hazy. But I'm just trying to take a glimpse into the future here without announcing future government policy. But I do foresee us doing that.

We have had supplications from some organizations in the farm community which suggest that there needs to be some minimal protection given. Generally, the argument goes that farming is much less of a way of life and becoming more of a business. Farms are being run on a far more professional basis than was the case when I was a child, perhaps. Perhaps that is of necessity in a more difficult world.

But as farming and farmers become more professional, there is a growing view that at least some minimal protection should be gathered. And I think we do intend to enter into consultations with the farming community to see what they think is appropriate.

**Mr. Goohsen:** — Thank you, Minister, for that observation. Certainly, there will be several people interested in knowing what you're going to do in that sector and not just on that particular issue. But that, I think, is probably a debate for another day and one which we certainly will touch onto when we get time.

I want to pursue all of the problems on this list and give you an opportunity to explain yourself. Perhaps people will find some comfort in maybe knowing that they have misread or misinterpreted your earlier statements.

So I want to go right back to this definition of a day. There seems to be some problems with the definition of a day in the business community, and also the workers that I've talked to are extremely concerned about this particular definition of day and the way that you're setting that up in the new legislation.

Would you explain to the people of Saskatchewan what exactly you mean by this and try to alleviate their concerns and their fears with regards to your new definition?

**Hon. Mr. Shillington:** — This, I will admit, has been the subject of an enormous amount of concern by people who have discussed the Bill with us. And we have earnestly considered their concerns.

Our position is that for virtually every employer in the province — I defy the member from Maple Creek to name an employer for which this is not true — for virtually every employer in the province the definition of day has not changed. I defy you to name one where it has.

The definition of a day hasn't changed, and they'll still be able to set schedules on a calendar day, which is what they're concerned. Once this is discussed with them and pointed out to them, the concern generally disappears.

But I must admit, it may be shallow but it's very broad because I've had a lot of people mention it to me.

But it is shallow. Once you say this to them, the definition hasn't changed, they generally agree.

So I think while this is a concern, it is not a real concern, if I can put it that way. It does not withstand hard analysis.

(1600)

**Mr. Goohsen:** — Minister, I think your answer is just a little bit too vague and too general for the people to be comforted by. So explain to me how this affects nurses who have voluntarily chosen to work 12-hour days rather than 8-hour days?

**Hon. Mr. Shillington:** — Okay. I want to read the old section and the new section to the member, and I wish you'd tell me what you think the difference is.

Old section, statute L-1, old section 5(a) reads — and the first section is the retail trade, then it goes on to say:

... for all other purposes (but the retail trade), any period of 24 consecutive hours.

Now the new section reads: "In this part (only), 'day' means a period of 24 consecutive hours."

Now I wish the member from Maple Creek would tell me what you think the difference is between any period of 24 consecutive hours and any period of 24 consecutive hours. It sounds awfully similar to me.

**Mr. Goohsen:** — Well, Minister, quite frankly you're starting to sound like some of the preachers I watch on television who pick out parts of the good book to prove their point but don't read the verse ahead or the verse behind, and they totally take the whole message out of context to try and prove a point. And without reading the entire scripture here from both good books, I think you're putting a twist on things that is not acceptable to the general public. And as a preacher you've already been flushed out as a fraud, so you might as well stick to politics because they expect it of you here.

So why don't we, why don't we face the reality that your very limited reading is not telling the problem that the business and working community see in your

legislation?

And I'm not going to explain to you what the differences are today because the business community has told you this and they want your response. And they're the ones that are going to read *Hansard* after today and they're going to judge you, not me, because I have posed the question for them fairly; and you have treated with jest here the answer, not me.

So if you want one more shot at explaining the problems and how you're going to overcome them, and if you'd like to explain to the nurses of Saskatchewan why you are affecting their decision to choose the kind of hours they are, you can do that. If you choose not to, you'll be judged, not me.

**Hon. Mr. Shillington:** — I think I can with difficulty overlook your calling my friend — the member from Maple Creek — a latter-day communist; but to compare me to a TV evangelist, that is a low blow, I have to say.

However I'm going to overlook that in the spirit of cooperation. And perhaps I was a bit flippant in my answer to you because, I want to admit, this has been raised by a lot of businesses. My response is, there's no change in the definition, none at all. No change at all.

**Mr. Goohsen:** — Are you then, Minister, prepared to also say that there will be no change in the way that businesses and labour will be affected after the regulations have been drawn up in this area?

**Hon. Mr. Shillington:** — They will not be affected by the definition of "day" in the statute.

**Mr. Goohsen:** — I'm sure you will be quoted back on that someday, but let's carry on for a few minutes here.

Now the next concern was that we have "no changes to the new and costly extensions of mandatory pay in lieu of individual lay-offs including a portion thereof."

There is some concern in the business community about the pay in lieu of individual lay-offs. And I'd like to have you the opportunity to explain to the business community why they have no concern here, if you can do that. Alleviate their concerns in this area. I give you that opportunity now, Minister.

**Hon. Mr. Shillington:** — There is an extension of the notice ... of the pay in lieu of notice. We think the extension is modest; it is not out of line with what some other jurisdictions do. And in any event, we think it's not unreasonable.

Let me make the following argument to the member for Maple Creek: if a member of the management is laid off, the standard rule which the courts use is one month per year of service. That's the standard rule which judges use. It will vary in one case or another but that's the standard they use.

What we're saying in The Labour Standards Act is one

week per year of service, plus two or three or four. But the rule here is one week per year of service; the rule for management is one month. That doesn't strike me as being overly generous to the workers.

**Mr. Goohsen:** — Well, Minister, I'm going to remind you that in many cases the problems that I'm bringing up here, even though I'm at this time presenting from a document by the business sector, many of these same problems that have been brought up in this commentary of notes have also been brought to me and brought to my attention from workers.

Some of them point out very emphatically to me that as individuals they absolutely have no one speaking for them. And they dare not speak for themselves because they will suffer the repercussions of loss of job, of being blacklisted by the union leaders, of never again having any freedom in their life.

I'm absolutely amazed, in a province like Saskatchewan, that people even have to consider that kind of fear — the fear of expressing their opinions, definitely not in writing, and very reluctantly even in conversation, because if their name were ever to be told, they know very well that they would probably have to sell their homes and leave this province.

That's the kind of power your unions have and the kind of power they're exerting on individual people. And I can absolutely guarantee you that I've had people come to me and tell me about how union people have come to their homes and threatened and coerced them if they don't toe the line. These are facts of life.

Now, Minister, knowing that therefore they cannot themselves stand up, I'll stand in their place. And while I'll use the business commentary for now, I will tell you that many of these concerns come from working people themselves who are having the very same reservations.

But I do want to go on into this list and give you a chance to explain your position. We need to do that, and time grows shorter.

The next one that I have on the list here is "no changes in the new and costly extension of definition of allowable break in service." Now the allowable break in service is believed to be a very costly thing to business, and I'd like you to alleviate the concerns of the people of Saskatchewan with regards to this part of the legislation.

**Hon. Mr. Shillington:** — This was one of the things we did which we think is of assistance to employers, and I think once it was explained to them, most of them agreed. Again, while I certainly have no disrespect for Mr. Botting, this is one of the many subjects about which we simply have to agree to disagree. But most of the employers agreed, when this is explained to them, that it really is for their benefit.

What we have done is to move . . . If I understand the concern, we have moved the definition of year of

employment from the regulations to the Act and it provides a maximum break in service of 13 weeks. It will on one hand allow employees to retain earned benefits if they're not gone for 13 weeks. It's not out of line with the rest of Canada. Nine jurisdictions in Canada allow a 13-week, three-month break in service; while two jurisdictions are much more generous than that — they allow a six-month break in service.

We've also pointed out to the business community, this is why most of them agree, having thought about it, that it is to their benefit . . . Thank you very much . . . that it is to their benefit. Most of them . . . We've also pointed out that this allows us to, in regulations, define this, and we may be able to alleviate some of the awkward situations which from time to time arise with any rule.

So having thought about it, most of them agree that this provision is reasonable. It's certainly in line with what is done in the rest of Canada. And it does give us a bit of flexibility to work with it.

**Mr. Goohsen:** — Well, Minister, I see that you got another, bigger book delivered to you, so maybe you can get a better answer now.

Explain to me what the break in service really means then.

**Hon. Mr. Shillington:** — It means if they are gone for that length of time, they don't accumulate the years for the purpose of getting notice, because how much notice you get depends upon the number of years you have. The break in service means if you're not gone for more than that length of time, you continue to accumulate the years for the purposes of the notice.

As I said, nine provinces have ours; two — and they are, if I'm not mistaken, two of the largest provinces — have six months.

**Mr. Goohsen:** — Well if you're referring to Ontario and British Columbia with NDP governments, I don't think anybody is going to take much comfort in that.

But anyway, that's your explanation and I'm going to let it rest there because I didn't hear anything comforting in that, to be quite honest with you. It's exactly the same old thing that I heard before, so maybe you've convinced someone else with that and I'll let them judge you.

Let's go on then, Minister, to the next concern that they have which is the continued imposition of a new reverse-onus test for employers to prove they cannot reassign the workplace to accommodate disabled workers, also continued duplication of Human Rights Act.

Now how would you like to comfort the business community and the people and the workers of Saskatchewan by explaining to them what your motivations are here for real and how this is going to affect the workplace and how it's going to help

Saskatchewan.

**Hon. Mr. Shillington:** — The general rule is that where something is exclusively within the knowledge of one person, that person should have the onus of proving it; there's no way someone else can prove it. That's just a general rule which is used in criminal law; it's used in civil law. It is a centuries-old rule which judges have used to interpret common law.

All this section really does is incorporate that principle into this Act, because generally whether or not there are any alternatives is really within the exclusive knowledge of the management. It's not something the department could ever be expected to prove. Therefore it's not unreasonable that the onus be on the employer of proving that there's no alternative. There is no way that the Crown could ever prove there is an alternative.

**Mr. Goohsen:** — Thank you, Minister, for that explanation. I think perhaps, in this one case, the member for Rosemont might have been better off presenting this Bill than you are because at least from the background he offered an explanation that was understandable. So I'll let you take a shot at explaining how this affects the accommodation of disabled workers.

**Hon. Mr. Shillington:** — I'm sorry. I have to be honest and confess I didn't grasp the member's question.

**An Hon. Member:** — The member from Rosemont did.

**Mr. Goohsen:** — The member from Rosemont did, yes.

How does this particular piece of inclusion in the legislation affect the disabled workers? It's specifically designed towards alleviating a problem with disabled workers, I believe, and I think it's necessary to put on the record how this affects disabled workers and what benefit there is to them.

**Hon. Mr. Shillington:** — Yes, I wasn't sure I caught the member's question. It seemed . . . the answer seemed relatively obvious. It is to the employee's advantage to go back to work rather than be on Workers' Compensation.

It is to the employee's advantage for two reasons. One, they're usually financially better off. But in any event we all value our self-worth by what we do, and those who are unable to work, marginalized, have a very difficult time with self-esteem. It's to everybody's advantage to go back to work.

(1615)

It is also to the employer's advantage to take them back to work because ultimately, under the Workers' Compensation Board's scheme, the employers pay the cost of the accidents. And if a worker must remain on disability pension for the balance of their lives, the employer has got to pay for that, and it's very

expensive.

This section ensures that where there is alternate employment, the worker will go back to work. That is to the employer's advantage because they have to pay the cost of having them sit at home. It's to the worker's advantage because they're usually better off financially, and in any event it's a question of one's self-worth. They can go back to work; they feel important and indeed they are productive members of society.

**Some Hon. Members:** Hear, hear!

**Mr. Goohsen:** — Well at least there's something here that I think we can agree with you on, Minister, because you finally explained something that makes some sense, and that is that people that get hurt and heal up should be allowed to continue to work. And I have to admit that I get a lot of calls about folks who are having problems with Workers' Compensation and not being able to get back to work. There is a huge area of problem here.

However, the question struck my mind as you were giving this explanation. Is there such a thing, in your opinion, as people who are accident prone, and is that a viable reason used to deny employment in certain cases?

**Hon. Mr. Shillington:** — No, it's not. The member will shortly — well shortly, in a matter of a few days, I expect — have an opportunity to express himself on the principle of no-fault insurance.

Just let me say with respect to . . . well the second reading's already been given. I assume the member's going to enter into the debate. Let me just say that no-fault principle as always has been in effect here for a very lengthy period of time, going back to a date prior to the First World War. And the principle here is that if you're injured on the workplace, no matter who is at fault, you should be fairly compensated.

The system has been the subject of some difficulties, particularly — and I don't want to get into a partisan debate here — particularly when before this government took office there were some very real problems with Workers' Compensation, most of which I think we're in the process of resolving. But with or without its problems, everyone agrees that the workers' compensation scheme is preferable to its repeal. Everybody agrees with that.

I invite the member to turn that around in your mind when you come to the question of no-fault insurance, and think about that proposition that everyone agrees that WCB is preferable to its repeal. I invite you to think about that when no-fault insurance comes forward, because the same principle really here applies to no-fault insurance. But perhaps we should leave that for another day.

**Mr. Goohsen:** — I'm sure we'll get into that debate of it's-not-my-fault insurance, all right. And we look forward to that debate, Minister. But right now we do

want to get on with this Labour Standards Act and the very many implications here.

Now as I said, there certainly is some problems with this particular section in our society where people who have been hurt need to have some way of getting back to employment. And I guess that goes to prove that all of these Acts are somewhat interlinked. They can't be separate entities all the time. And so while discussing one, we naturally may end up including the other.

And I guess what the business community is concerned about is the accumulated costs that go with all of these good benefits. In a perfect society, certainly we would all like for everybody to get 100 per cent of everything they can get. But we don't live in a perfect society. Because when one person gets full compensation, another person may have to pay it, and we have to somehow work out a balance. What is an extreme injury to me might appear to a doctor to be somewhat superficial, and we do have that debate going on all the time.

So in the area of accommodating disabled workers, the plan of assisting employers through Workers' Compensation partly for employing a disabled worker, can that be an extension of this part of the legislation, or is there any room for the two to overlap? In other words, is there some possibility for The Labour Standards Act to bring the government into some kind of a program to rehabilitate and relocate and reassign work to disabled people?

**Hon. Mr. Shillington:** — Certainly the Workers' Compensation Board is actively encouraging employers to do that, pointing out to them that it is in their economic interest to do so. I think if I were to characterize the Workers' Compensation Board, their view of their own success, I think they felt they've had reasonable cooperation from the business community in so doing.

**Mr. Goohsen:** — Minister, we've talked about the one-sided wage assessment appeal process just a little bit. But I wonder if you'd explain that a little further and tell me if this means that there is no appeal once the decision is made, or is there still access to some appeal process where arguments can be presented later?

**Hon. Mr. Shillington:** — No, in fact there's a new appeal process. There's a simple, quick, cheap appeal process to arbitrators. The only appeal process prior to this was to a court of record and it's quite expensive. This provides a quick, inexpensive appeal system. That is what is new about this, is the appeal system so that those who feel themselves aggrieved by a decision of the labour standards officers have some recourse.

**Mr. Goohsen:** — Well I guess the question must be then, that from the business community's point of view here, that if the board has the right to set an arbitrary figure, that that is not then an appeal; that is more or less a judicial decision which is binding. And

if the access to the courts then, as you say, is cut off totally, how do you resolve those once in every, say thousand times, when the system happens to go wrong and something falls through the cracks? And there will always be that exceptional case some time, somewhere, where things just won't be right. What recourse is there?

**Hon. Mr. Shillington:** — There's no prohibitive clause in this legislation. The access to the courts is not cut off. The appeal process is simply an additional step available to people who feel themselves aggrieved.

**Mr. Goohsen:** — Let's go on to the politicizing of the arbitrator selection process which you alluded to earlier, Minister, but not in great detail. Now it is felt by yourself, as you explained, that by setting up a designated time that members of this panel would set, that they therefore will feel comfortable to make any decision for or against business, for or against labour, for or against government interest; and that they will be relieved of any feeling that they might be fired for a decision that isn't necessarily good for the politics of the particular administration.

Unfortunately though, if that is for a very short period of time — and I'm not sure if it was three or five years that somebody mentioned, so you can fill me in on that — it seems to the people in the business community that those people are going to feel indebted to the people who gave them that job. And because it's not a lifetime appointment, like a judge, they therefore are in a position where they feel obligated to the people who hired them.

I don't know if that makes any sense or not, but that's what people are telling me — that folks who are only hired for a short period of time feel they don't have job security unless their decisions are leaned heavily towards their new employer. And when that job happens to be in a semi-judicial area, such as this, we anticipate that the wage level is such that it would be so much higher than you could earn in the rest of society in a lot of cases; that it might be conducive to the proposition that one would rule in favour of the government to keep that job because of the extra high pay. In other words, they would feel that financially they are being rewarded to find in favour of the government's philosophical direction.

How do you square that with the business community and alleviate their concerns in that area?

**Hon. Mr. Shillington:** — I would concur with the member that heretofore I think that has been a problem. I think governments of different political stripes . . . heretofore the process has been that the arbitrators have been . . . they're appointed by the minister and they're appointed on an ad hoc basis, and I think it has been a problem that the arbitrators have tended to try to not irritate the government . . . would reappoint them.

I have said time and time again, I want to depoliticize this process. And the way we propose to do it is possible. You will see and hear that now arbitrators

are appointed by order in council, not by ministerial order. What will happen in practice is that we're going to appoint a list of arbitrators --, perhaps half a dozen for the south, half a dozen for the northern part of the province. We will use them on a rotational basis so that you never know which one you're going to get.

And the minister, apart from the fact that I suppose I take the recommendation for the list to Executive Council, the minister will be out of the circle. I will no longer appoint individual arbitrators for individual cases; it'll be done by . . . nor will the department. In this case actually, these are done at the departmental level. Nor will the department.

Hereafter we're going to have a list of arbitrators. They'll be used on a rotational basis. There'll be no discretion in who you get. And we're also going to do so after fully consulting business and labour. And since everyone will understand the system that arbitrators are going to be chosen on a rotational basis, everyone will attempt to get arbitrators who are fair and impartial. So with these scheme, it is our hope to take politics out of the system of arbitration.

But I would end as I begin, by concurring with the member. Heretofore I think it has been a problem. I think arbitrators . . . the choosing of arbitrators has been a political process at times.

**Mr. Goohsen:** — Thank you, Minister. Recognizing a problem sometimes is a first step in correcting it. So let's carry on with this just a step further to clear the air.

These arbitrators, will they be paid by the year or by the job? Or how will they be reimbursed?

**Hon. Mr. Shillington:** — No, they're paid by the department.

**Mr. Goohsen:** — They'll be paid by the department by the job or by the year?

**Hon. Mr. Shillington:** — No, on a per piece basis by the job.

**Mr. Goohsen:** — Okay, so you say you're going to have perhaps six in the north and six in the south and that no one will know exactly who's going to be on which case. How many arbitrators will hear each individual case? Is there a minimum or a maximum?

**Hon. Mr. Shillington:** — In all cases it's just one. I want to point out to the member just so there's no confusion, I use the six as a convenient number. We have not yet determined how many are needed. I think we'd want to consult with all involved labour and management to determine exactly how many should be used. But there is going to be a list and we're going to use it on a rotational basis.

**Mr. Goohsen:** — Will each one on the list, after you have established your list, work equal numbers of cases? Or will perhaps one work ten cases and another work two cases and another one work five

cases?

**Hon. Mr. Shillington:** — No, they'll all work the same number because . . . Let us say there are six. When the one at the top of the list — and they'll be given numbers, one, two, three, four, five, six — when one gets a case, they go to the bottom. Two then rises to the top. The next arbitration is done by two — he goes to the bottom. The next arbitration is done by three — he goes to the bottom — and so on.

When I say it's rotational, that's what I mean. We're going to take the politics right out of the arbitration system.

One of the problems to date has been it has been politicized and people don't entirely trust it. I really want to set up an arbitration system that everybody trusts. I think if we could set up an arbitration system which everybody trusts, I think it would first of all, go a long way in advancing the whole job of improving labour-management relations, but I also think it would make the function of this department more effective. So I am determined to get politics out of the arbitration system

**Mr. Goohsen:** — Well on the surface this seems to be shaping up to a better system. Unfortunately, there are some hidden problems here that you are probably aware of.

In any situation, just for the sake of argument, could someone choose a particular arbitrator for a particular type of case that he might have a better background in?

**Hon. Mr. Shillington:** — No, it's on a rotational basis. When you're used in arbitration you go to the bottom of the list and start up again.

**Mr. Goohsen:** — So this will basically be based on the old union hall hiring numbered process?

(1630)

**Hon. Mr. Shillington:** — No, the member from Morse is correct in a side bar comment made here. It is really the scheme which is used; with some variations, it's really the scheme used by judges to determine who gets which case. The judges are now on kind of a rotational basis.

The Chief Justice always has the discretion to assign particular people to particular cases where they have strengths, but by and large, the Queen's Bench judges are assigned to cases on a rotational basis. It's copied from the QB (Queen's Bench) judge system, as I understand it.

**Mr. Goohsen:** — So anyone, though, that knew the listing of the arbitrators by name could theoretically calculate so that cases would be fed into the system so that certain arbitrators would handle certain cases by the way that they're fed into the system.

**Hon. Mr. Shillington:** — As a way of fixing that too,

once the list becomes known by any group of people, just juggle the numbers and start again, and they've got to spend all their time trying to figure out . . . in practice, I tell the member it's almost impossible to do.

It used to be possible to know which judge was going to handle which case. When I first started practising you could tell pretty well, and you were very careful about it — about getting a judge which you thought had a certain point of view.

It's now almost impossible to do. First of all, there's a lot more judges; but secondly, at any given time they just rejiggle the numbers. It's impossible to figure it out.

**Mr. Goohsen:** — Who is the they that you refer to?

**Hon. Mr. Shillington:** — Well it's the Chief Justice in the case of the Queen's Bench judges.

**Mr. Goohsen:** — Who will it be in terms of the labour relations branch?

**Hon. Mr. Shillington:** — The labour relations branch will do this.

**Mr. Goohsen:** — Who in the branch will have that responsibility?

**Hon. Mr. Shillington:** — I don't know if I could be quite that definitive. Ultimately the responsibility lies with the director. I don't know quite who will do it on a day-to-day basis, but ultimately the responsibility lies with the director.

**Mr. Goohsen:** — Who hires the director?

**Hon. Mr. Shillington:** — Well under normal circumstances it would simply be a clerical function. And that is how I understand — again exceptional cases aside — that's how I understand the court system now works. It is pretty well a clerical function.

**Mr. Goohsen:** — Well it has just been pointed out to me by my colleague that if the director is in charge of juggling the numbers and he sees a particular case coming up that might be of some particular interest, or have some particular interest to his employer, he might in fact decide that that's the day to juggle the list so that a particular member of that board would hear a certain case.

**Hon. Mr. Shillington:** — No, these are two separate branches. And if such a thing were to occur and that were to be brought to the attention of the deputy or the minister . . . I won't go any further. But that would be contrary to departmental policy. But in any case, these are two different departments.

**Mr. Goohsen:** — I fail to see how different departments makes any difference in terms of juggling the list to get a preferred case heard by a preferred member. Obviously the same government minister will be the ultimate boss and hiring official of people

in both departments. And if he wants the system to be set up in a particular way, it seems obvious to me that he's going to have hired employees who are dependent upon their jobs . . . their jobs rather depend on their ability to please their boss. Obviously it won't matter how many different departments are involved, they are going to perhaps be in a position to construe those numbers to suit the rotation that facilitates the needs of the government.

So we haven't exactly depoliticized this, unless in fact we take this number process completely out of the hands of the labour standards board or the labour — whatever — involvement with government.

Seems to me, sir, that you will have to put this numbering process into the hands of another judicial authority, one that is separate and independent from politics itself. And that of course could be a judge; but better yet, perhaps the Justice department of another province juggling those numbers.

**Hon. Mr. Shillington:** — Well I guess the only comment I can offer to the member is if that were the system which we wanted, we wouldn't have changed anything. The Act sets out the changes. The changes are arbitrators are no longer appointed by the department; it's done by order in council. And we have regulatory power, as I read this, to set out the rules.

Of course there's nothing to prevent us from breaking the rules. But if we were minded to turn this into a political process, we'd just have left it as it is.

And I think the member may take some comfort from the fact that we've set out a new set of rules and we're not going to break our own rules. If we were going to break them, we wouldn't have set them out.

It is our intention to depoliticize this process and we're going to set in place a set of rules which will ensure that that will happen. If employees break the rules, we will deal with that. But I think that's the highest degree unlikely.

**Mr. Goohsen:** — Well, Minister, I hate to be unfair about this, but you just broke your own legislation with the judges. You know, you set up a law saying you're going to have a three-member committee set up the wages for judges, and when they came back with a recommendation you didn't like, you broke your own law and fired the three people that came up with the recommendation and slapped them squarely across the head, metaphorically speaking, and sent them on their way.

And so, quite frankly, even though I don't agree that the judges should have got what the panel said that they should get, we have to observe that it is not beyond the realm of possibility for this administration to break its own rules whenever it just sort of pleases, and most often without a whole bunch of consideration for the people around . . . in the province. Or more particularly and more devastating to our system, breaking the legal system and the faith

that people have in our justice system. And of course our justice system is now described as being one in complete shambles in our province, because nobody believes that we do have in fact any laws that can't be broken or that can be just thrown out at any time.

Anyway, that's your explanation of it and I quite frankly, sir, see that an order in council is more political than ever and I don't really think that you have depoliticized the process in the way that you are trying to sell it to the people. You've put in a better system but you haven't, in the end result, depoliticized it.

The numbering system and that process, that's got some merit in terms of keeping it from being tampered with. However, you have to go that one step further and take it out of the hands of cabinet because the order in council is an order of cabinet and that's the same thing, and everybody in this province knows that.

So you haven't depoliticized it because you haven't taken the control of the appointment and the redrawing of regulations out of the political arena. You can't depoliticize something if you don't take it out of the political arena. And cabinet is politics and politics is the cabinet. I mean you guys are the cabinet and that's the way it is.

I want to go on to the next item of concern which is the whistle-blower's section, as it's described, protection clause, including continuing potential for frivolous reporting and no ability to penalize frivolous or vexatious — I guess it's pronounced — claimants. I hope I've pronounced that word right but anyway I'm sure you'll get it straight.

Anyway, I guess the word frivolous is something that everybody understands. Vexatious I guess is . . . I think the word means someone that's trying to get even with somebody else or trying to take vengeance out . . . (inaudible interjection) . . . yes, on somebody for no reason.

Okay, so you have this vengeance factor, you have frivolous factor, you also may have individuals that might simply be trying to ensure their own employment forever by claiming that they are being fired because they blew the whistle. And therefore anyone who has ever done that could never be fired again.

And so, you know, in terms of those three areas of concern, how do you comfort the community with the potential problems that could arise out of this section?

**Hon. Mr. Shillington:** — I would point out subsection (2) of section 74 to the member. It says that they're not given any protection where the actions of the employees are vexatious, which means accusations made which the accuser knew or should have known were false. So I would point out that I think that they're unlikely to do that because they'll lose their protection if that's the case.

**Mr. Goohsen:** — That's some small comfort. Now who would determine what vexatious is or who's being vexatious? Who would make that judgement?

**Hon. Mr. Shillington:** — Well, labour standard's officers, arbitrators, CUPE judge; in sort of that order.

**Mr. Goohsen:** — So if an employer thought that one of his employees was being vexatious, would he then make an application to the board, or who do you apply to?

**Hon. Mr. Shillington:** — Well the actual process is that when a labour standard's officers gets a complaint, the labour standard's officer then contacts the place of business and said, I've had this complaint from Ms. X, that you've harassed her, let's say, what is your response. He then gets a chance to make his response and to say, well no, it's not true; in fact the employee always was a wing nut or whatever it is. And if the labour standard's officer finds that to be the case then he does not pursue it.

If he or she finds that not only were they a wing nut but they knew that the allegation wasn't true, then they lose their protection and they can be dismissed. So the process is that the labour standard's officers almost always contact the . . . well they always contact the business — the first step after they receive the complaint.

**Mr. Goohsen:** — What would you consider some examples of the term frivolous to be?

**Hon. Mr. Shillington:** — Oh a complaint which is made in bad faith. A complaint which the person knew was trivial, so trivial that it should not be proceeded with or the person knew it wasn't true. I think either one of those would meet the definition of being frivolous.

**Mr. Goohsen:** — Could you think of an example to sort of put it into layman's terms so that people can understand what you think bad faith and trivial are?

**Hon. Mr. Shillington:** — Sure. Let us suppose that an employee complains that their wages were shorted. Turns out that it's true but it's only a matter of 10 cents — honest accounting mistake. And I would regard that as a frivolous complaint.

Now it would be vexatious if the employee knew it was only 10 cents. That then I think would be a vexatious complaint. The difference, as I understand the language, is the difference between frivolous and vexatious is that the employee knew the fact that it was false or that it was too trivial to have been properly pursued.

**Mr. Goohsen:** — So then we could run into a situation where if folks were into a work-to-rule mode, they might start to use frivolous and trivial types of complaints in order to irritate the employers, to facilitate some kind of better bargaining lever, that sort of thing. And this could all be straightened out then. Is that your observation?

**Hon. Mr. Shillington:** — That's a constant . . . that is not a constant problem but it is a problem which arises. And we are very careful in investigating complaints made in the context of a work dispute or work stoppage. We treat those with extreme care because the chances of them being put forth in a balanced and unbiased fashion is rather low.

**Mr. Goohsen:** — Well, Minister, I'm not sure if there's a huge amount of comfort going out to the public, but at least you're having your opportunity to put your words onto the record.

Now I'll go on to the next one, which is the new and very massive regulatory powers that remain, i.e., a huge regulatory leap of faith with serious doubts as to whether there will be a good-faith consultation process with this government's Department of Labour.

I guess once again I'll just leave it up to you to explain how you can comfort the business community to know that you're dealing with this, or that it isn't the kind of concern that they view it to be.

**Hon. Mr. Shillington:** — Well we'll be repeating the very successful process we had with the occupational health and safety regulations. And that is that we will have the joint labour-management commission which will deal with the general . . . will deal with general issues. But the regulations themselves are going to be fine-tuned by sectorial committees in which labour and management will both participate.

So while there is a lot of regulatory power in here — I would admit that — it has the advantage of allowing both labour and management to participate in the solution. And after thoughtful people have given that some consideration, they generally agree that that's an improvement over us simply doing it and mailing out a letter telling about it.

**Mr. Goohsen:** — What do you think then about the idea that has been expressed by the Canadian Federation of Independent Business that you should perhaps pre-publish the regulations 60 or 90 days prior to the order in council from the cabinet that would make them law? Would that be a reasonable request?

(1645)

**Hon. Mr. Shillington:** — Yes, it is reasonable enough, and in fact we did that last year in the occupational . . . I think it was occupational health and safety.

We didn't do it this year because I think most of the business community felt that that was unnecessary last year. There is in place, developed by the gentleman who usually sits here, the member for Elphinstone, a Code of Regulatory Conduct and they developed that in the Department of Economic Development.

The Code of Regulatory Conduct requires us to

pre-publish regulations and to make them available and make them widely known. As I remember the time, it's 90 days in advance of gazetting them; that gives people ample opportunity to respond. So we did it in occupational health and safety. I think the view of most members of the business community is, it isn't necessary to do that so long as the Code of Regulatory Conduct is followed and I think they believe us when we say that we're going to be following that in all cases.

**Mr. Goohsen:** — Well my comment to that, sir, is this: that I have in my hand a document from one of the biggest umbrella groups in the province for business who are saying to you that they want a 60- to 90-day period to study the regulation before it's made law.

Your observation that a lot of people don't want it I say is not substantiated from the mere fact that you haven't shown us any business people that have supported your point of view here. And while you have stood in your place today and said that this is a reasonable kind of an approach, that you've done it in the past, seeing how as several hundreds of businesses represented by this umbrella group are asking you for it, would you consider committing to that today on their behalf?

**Hon. Mr. Shillington:** — No, I think to be honest with the member from Maple Creek, I would not commit myself to that. The Code of Regulatory Conduct already requires that it be pre-published in a sense — not in the *Gazette* — but pre-published in the sense that it is made widely available. That covers off this need.

I do not agree with Mr. Botting that we need in addition to that to pre-publish it in the *Gazette* and I don't think most business people agree with him either.

**Mr. Goohsen:** — Minister, you referred to this Code of Regulatory Conduct. Could you provide me with a copy of that and the contents of it?

**Hon. Mr. Shillington:** — Yes, I certainly can. Well it may not be today, but I certainly have that available for you. It's readily available.

**Mr. Goohsen:** — I certainly would like to have that before we enter this discussion again, because an awful lot hinges on whether or not that in fact does what you say it would do to offset the need for the 60- to 90-day period. Realistically, if one does the job that the other does, you don't need both.

But I suspect that because the Saskatchewan federation of independent business people have asked for this, they must have made the observation that the Code of Regulatory Conduct either doesn't overlap into your department and you are not required to fall under its guidance, or else it doesn't apply.

So with that I guess my question has to be — because you've referred to the minister from Elphinstone who

used this in his department — are you bound to the Code of Regulatory Conduct in the Department of Labour?

**Hon. Mr. Shillington:** — Yes.

**Mr. Goohsen:** — Okay, then what would your observation be as to why the business community — at least part of it — object to you using this regulatory conduct process, rather than the 60- to 90-day notice.

**Hon. Mr. Shillington:** — I have no explanation for that.

**Mr. Goohsen:** — Well, sir, I'll explain it to you. They don't believe that the Code of Regulatory Conduct gives them the opportunity to express the needs for changes . . .

**An Hon. Member:** — That's not true.

**Mr. Goohsen:** — Well the minister from Elphinstone assures me that this is not true, and I'm going to take him at his word and put him on the record today as saying that this is absolutely not true, that the business interests will be taken care of absolutely by the Code of Regulatory Conduct.

However my observation is that the business community doesn't trust you and they don't believe that their interests are being protected.

I may have to allow the other members to get involved in this debate because they certainly seem interested in assuring us that the Code of Regulatory Conduct covers what the business community needs. However it is my observation that they don't believe that; it's my observation that they don't trust you.

So in view of that, would you make the commitment that if we can make the case in our debate as we go that the Code of Regulatory Conduct does not in fact provide the business community with the same opportunities that they would have under the 60- to 90-day — I guess it's called a notice — if they don't get exactly the same coverage, would you then commit to changing your mind and providing them with what they have asked for?

**Hon. Mr. Shillington:** — When you've had a chance to look at it, I'll certainly listen to the member's arguments.

**Mr. Goohsen:** — Okay, I'll do that. We'll carry this on another day, I'm sure. We have several pages of problems that we have to go through here, Minister. However I think I'll just ask a couple more questions and then let a couple of my colleagues get into this debate here, as we go. I think the member from Thunder Creek certainly has a few things he wants to say in a couple of minutes here.

Now business has promised that the rigid requirements to post written notices was too limited and should also include verbal notice, especially in small workplaces. Was this done?

**Hon. Mr. Shillington:** — The member is reading from the letter. Let me assist the member; you're reading from the letter from the Canadian Federation of Independent Business. You inverted the last sentence. It says:

Business was promised that the rigid requirement to post written notice was too limiting and should also include verbal notice, especially in small workplaces.

Then it goes on to say: this was done. If the member would read from this document accurately, there would have been no need for the question.

**Mr. Swenson:** — I wish to start a discussion regarding clause 72. And as you are aware, Mr. Minister, there are certain sectors in Saskatchewan, and I'll specifically mention the mining sector, which have got long-standing collective agreements in place that have been bargained because of the type of work that occurs in those situations. These mines take many different forms. A lot of farmers, for instance, work in the potash industry. In the North you have the considerations of travel and days-in and days-out and that type of situation.

I think it's been expressed to you, sir, and to other members of the government that there's a great deal of concern with this particular section, because what it effectively does is destroy these long-standing collective agreements that have been bargained — the way shifting is done and that type of thing — and what you're effectively doing here is moving the entire works up to a new standard.

And, Mr. Minister, it's a very price-sensitive industry that they work in, but also the fact that the people that work in it have bargained some things that are different than perhaps the rest of the workforce in the province. And they have some concern, Mr. Minister. And I wonder if you could tell the Assembly if you have looked at this, and are you prepared to make some changes that would take those long-standing collective agreements into consideration rather than impose a whole new set of standards on them?

**Hon. Mr. Shillington:** — First of all, let me say that the way it now reads is the way it always read in this province until a very few years ago when it was, we believe, misinterpreted by a judge.

As well, I can tell the member that every other jurisdiction in Canada, bar none, has this same provision. We simply . . . nobody else does it any other way. Labour standards is a minimum and it's a minimum whether or not there's a collective agreement. Every other province does this. We just are the subject here of, I think, an erroneous judicial decision, and we are correcting it.

I admit there may be transitional problems. I have told various business groups, including the mining community, that if they can demonstrate a good case and if they've discussed it with their workers — they

must do both — we will consider an exemption in the . . . as a transitional measure. Because I admit there may be cases where existing agreements contain provisions which are not compatible with this. If that's the case, if they're transitional problems, we'll look at them. And I've told one and all that.

So we'll assist them through the transitional problems, but the principle itself is very much mainstream.

**Mr. Swenson:** — Well, Mr. Minister, it's very clear that you must understand some things here. IMC (International Minerals and Chemical Corporation (Canada) Ltd.) is a good example. IMC had a water breakthrough a number of years ago. When that happened, the whole business around that mine changed. You had people performing certain functions. When they started to have an inflow of nearly 10,000 gallons a minute — and I believe it even went higher than that at times — all of a sudden the whole section of the workforce there, both management and union, had to be shifted to other duties.

There's a bank of 40 oil well pumps, Mr. Minister, down in that mine now that have to be serviced in order to maintain their business. That has necessitated all sorts of changes which were worked out between management and labour in order for that to happen.

Mr. Minister, that can happen in any potash mine in the province. It has necessitated long-term change in the workplace, people performing different functions which they never originally were bargained for, but by mutually working together they've been able to at least overcome some of the problems there.

What you're proposing here, Mr. Minister, would make that transition far more difficult than what has occurred. And that situation can occur in a uranium mine, for instance, where a bulkhead lets go and the place all of a sudden gets thrown into a different mode.

And, Mr. Minister, what you're proposing here makes that far more difficult. So it's more than just a transitional phase where their existing collective agreements come up and go on to a new one. There are other things that happen that I don't think your legislation will allow for. And I think that you need to seriously rethink this situation.

**Hon. Mr. Shillington:** — Let me just say that nothing in The Labour Standards Act affects the situation you described. Nothing at all. It has no application to the situation you described. A collective agreement might, but that's a different Act, one we'll get to in due course, but nothing in this Act would affect that situation.

I think unless the members have some strong views to the contrary, I will move we rise, report progress, and ask for leave to sit again.

The committee reported progress.

The Assembly adjourned at 4:58 p.m.