



THIRD SESSION - TWENTY-FIFTH LEGISLATURE

of the

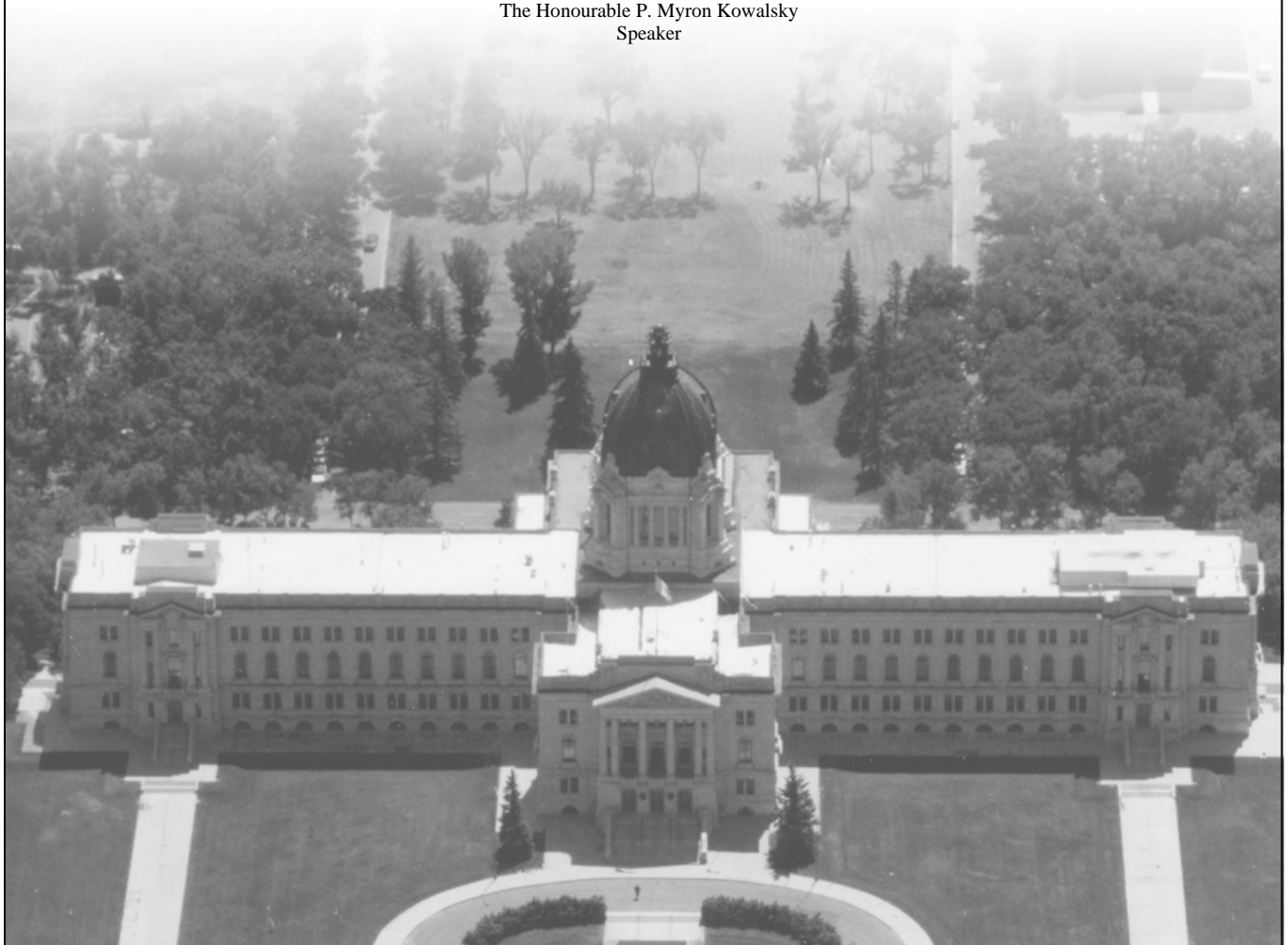
Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(HANSARD)

Published under the
authority of

The Honourable P. Myron Kowalsky
Speaker



MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

Speaker — Hon. P. Myron Kowalsky
Premier — Hon. Lorne Calvert
Leader of the Opposition — Brad Wall

Name of Member	Political Affiliation	Constituency
Addley, Hon. Graham	NDP	Saskatoon Sutherland
Allchurch, Denis	SP	Rosthern-Shellbrook
Atkinson, Hon. Pat	NDP	Saskatoon Nutana
Beatty, Hon. Joan	NDP	Cumberland
Belanger, Hon. Buckley	NDP	Athabasca
Bjornrud, Bob	SP	Melville-Saltcoats
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Draude, June	SP	Kelvington-Wadena
Duncan, Dustin	SP	Weyburn-Big Muddy
Eagles, Doreen	SP	Estevan
Elhard, Wayne	SP	Cypress Hills
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Hamilton, Doreen	NDP	Regina Wascana Plains
Harpauer, Donna	SP	Humboldt
Harper, Ron	NDP	Regina Northeast
Hart, Glen	SP	Last Mountain-Touchwood
Heppner, Nancy	SP	Martensville
Hermanson, Elwin	SP	Rosetown-Elrose
Higgins, Hon. Deb	NDP	Moose Jaw Wakamow
Huyghebaert, Yogi	SP	Wood River
Iwanchuk, Andy	NDP	Saskatoon Fairview
Junor, Judy	NDP	Saskatoon Eastview
Kerpan, Allan	SP	Carrot River Valley
Kirsch, Delbert	SP	Batoche
Kowalsky, Hon. P. Myron	NDP	Prince Albert Carlton
Krawetz, Ken	SP	Canora-Pelly
Lautermilch, Hon. Eldon	NDP	Prince Albert Northcote
McCall, Hon. Warren	NDP	Regina Elphinstone-Centre
McMorris, Don	SP	Indian Head-Milestone
Merriman, Ted	SP	Saskatoon Northwest
Morgan, Don	SP	Saskatoon Southeast
Morin, Sandra	NDP	Regina Walsh Acres
Nilson, Hon. John	NDP	Regina Lakeview
Prebble, Peter	NDP	Saskatoon Greystone
Quennell, Hon. Frank	NDP	Saskatoon Meewasin
Serby, Hon. Clay	NDP	Yorkton
Sonntag, Hon. Maynard	NDP	Meadow Lake
Stewart, Lyle	SP	Thunder Creek
Taylor, Hon. Len	NDP	The Battlefords
Thomson, Hon. Andrew	NDP	Regina South
Toth, Don	SP	Moosomin
Trew, Kim	NDP	Regina Coronation Park
Van Mulligen, Hon. Harry	NDP	Regina Douglas Park
Wakefield, Milton	SP	Lloydminster
Wall, Brad	SP	Swift Current
Wartman, Hon. Mark	NDP	Regina Qu'Appelle Valley
Weekes, Randy	SP	Biggar
Yates, Kevin	NDP	Regina Dewdney

[The Assembly met at 10:00.]

[Prayers]

ROUTINE PROCEEDINGS

TABLING OF REPORTS

The Speaker: — I wish, before we proceed with the petitions, to table the Ombudsman's report, the annual report for the year 2006.

PRESENTING PETITIONS

The Speaker: — The Chair recognizes the member for Moosomin.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, it's my privilege again today to present another petition on behalf of the residents of the Broadview and surrounding regions in regards to a very serious need in the area for a dialysis unit. And I read the prayer:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary action to implement a strategy that will see a dialysis unit placed in Broadview Union Hospital.

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

Mr. Speaker, the petition I present today is signed by the good folks, I believe, of the community of Broadview. I so present.

The Speaker: — The Chair recognizes the member for Kelvington-Wadena.

Ms. Draude: — Thank you, Mr. Speaker. I am pleased to rise today on behalf of people who are concerned about Highway No. 310. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause this government to repair Highway 310 in order to address safety concerns and to facilitate economic growth and tourism in Foam Lake, Fishing Lake, Kuroki, and surrounding areas.

The people who have signed this petition are from Yorkton, Semans, Wadena, Foam Lake, Sheho, and Rama. I so present.

The Speaker: — The Chair recognizes the member for Thunder Creek.

Mr. Stewart: — Thank you, Mr. Speaker. I rise to present a petition signed by citizens concerned with the dangerous and seemingly silly practice of transferring patients from one ambulance to another on the highway. And the prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary action to cease the transfer of patients from one ambulance to another while en route.

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

Mr. Speaker, this petition is signed by individuals from the cities of Moose Jaw and Saskatoon. I so present.

The Speaker: — The Chair recognizes the member for Humboldt.

Ms. Harpauer: — Thank you, Mr. Speaker. Again today I have a petition with citizens concerned about safety when driving on Highway No. 5. And the prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary action to upgrade and widen Highway No. 5 from Humboldt to Saskatoon.

And the signatures, Mr. Speaker, are from Annaheim, Prince Albert, Saskatoon, Moose Jaw, Preeceville, and Bruno. I so present.

The Speaker: — The Chair recognizes the member for Estevan.

Ms. Eagles: — Thank you, Mr. Speaker. Mr. Speaker, again today I rise to present a petition on behalf of constituents of mine who are very concerned about the condition of Highway 18. And the prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary action to invest the needed money to repair and maintain Highway 18, so it can return to being a safe and economical route for Saskatchewan families and business.

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

And, Mr. Speaker, this is signed by folks from Radville. I so present. Thank you.

The Speaker: — The Chair recognizes the member for Biggar.

Mr. Weekes: — Thank you, Mr. Speaker. It's a pleasure to present another petition from citizens of Biggar who're concerned about their health care services. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary steps to ensure that the Biggar Hospital, long-term care home, and ambulance services maintain at the very least their current level of services.

As in duty bound, your petitioners will ever pray.

Signed by the good citizens of Biggar and district. I so present.

The Speaker: — The Chair recognizes the member for Saskatoon Silver Springs.

Mr. Cheveldayoff: — Thank you, Mr. Speaker. I rise today to present a petition regarding the truly tragic circumstances

surrounding the death of Doug Bonderud and the lack of acceptance of responsibility by this NDP [New Democratic Party] government. I will read the prayer for relief:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary actions to reimburse the Bonderud family for out-of-country treatment costs and improve the future communication and coordination of cancer services for all cancer patients in Saskatchewan.

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

The petitioners today come from the provincial constituencies of Saskatoon Silver Springs, Saskatoon Sutherland, and Saskatoon Greystone. I so present.

The Speaker: — The Chair recognizes the member for Wood River.

Mr. Huyghebaert: — Thank you, Mr. Speaker. Once again I rise with a petition from citizens of southern Saskatchewan that are extremely concerned that the withdrawal of lab services from the Lafleche and District Health Centre would create undo hardship to residents, particularly seniors. And the prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary actions to ensure that lab services are continued at the Lafleche and District Health Centre.

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

Mr. Speaker, this is signed by the good citizens of Lafleche, Limerick, and Woodrow. I so present.

The Speaker: — The Chair recognizes the member for Rosthern-Shellbrook.

Mr. Allchurch: — Thank you, Mr. Speaker. Mr. Speaker, I also rise in the Assembly this morning to present a petition signed by citizens of southwest Saskatchewan concerned with their health system. And the prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary actions to ensure that lab services are continued at the Lafleche and District Health Centre.

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

Mr. Speaker, signatures to this petition are all from the fine community of Lafleche. I so present.

The Speaker: — The Chair recognizes the member for Batoche.

Mr. Kirsch: — Thank you, Mr. Speaker. Mr. Speaker, I rise to read a petition from Saskatchewan people who are deeply concerned about the presence of sexual predators that present a threat to our communities. And the prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take all the steps available to speed up the public disclosure process so that communities are alerted to the presence of a known sex offender in their community as soon as possible.

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

And, Mr. Speaker, this is signed by the good people of Cudworth. I so present.

The Speaker: — The Chair recognizes the member for Arm River-Watrous.

Mr. Brkich: — Thank you, Mr. Speaker. I have a petition here with the citizens concerned about the SaskTel cellular service in rural Saskatchewan:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the provincial government to take all the necessary action to install the technical equipment necessary to ensure that all rural areas in Saskatchewan are protected by reliable cellular phone coverage.

As in duty bound, your petitioners will ever pray.

This particular petition is signed by the good citizens from Jansen and Lanigan. I so present.

The Speaker: — The Chair recognizes the member for Saskatoon Southeast.

Mr. Morgan: — Mr. Speaker, I rise in the House today to present a petition requesting an allocation of funding for an elementary school in the Stonebridge neighbourhood of Saskatoon, an area of Saskatoon Southeast which is my constituency. The prayer states:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary action to implement an allocation of financial resources in this year's budget to build an elementary school in Stonebridge.

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

Mr. Speaker, this petition is signed by citizens from Stepney, Preston, and Stonebridge in Saskatoon Southeast. I'm pleased to present this on their behalf. Thank you.

The Speaker: — The Chair recognizes the member for Weyburn-Big Muddy.

Mr. Duncan: — Thank you, Mr. Speaker. I'm pleased to rise today to present a petition calling on the government to increase highway signage at the junctions of Highways 6 and 39. And I'll read the prayer:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary actions to increase highway signage at the

junctions of Highway 6 and 39.

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

Mr. Speaker, this petition is signed by people from Weyburn, Radville, Minton. I so present.

READING AND RECEIVING PETITIONS

Clerk Assistant: — According to order the petitions received at the last sitting have been reviewed and pursuant to rule 15(7) are hereby read and received.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

The Speaker: — The Chair of the Committee on Human Services is recognized.

Standing Committee on Human Services

Ms. Junor: — Mr. Speaker, I am instructed by the committee to report that it has considered Bill No. 40, The Status of the Artist Amendment Act, 2006 and to recommend to the Assembly that this Bill be not further proceeded with at this session.

This conclusion is no reflection on the excellent, excellent processes and the working relationship of the committee structure. The report itself will explain the work that was done and how the conclusions were reached. I move, seconded by the member from Cypress Hills:

That the report of the Standing Committee on Human Services on Bill No. 40, The Status of the Artist Amendment Act, 2006 be now concurred in.

The Speaker: — It has been moved by the member for Saskatoon Eastview, seconded by the member for Cypress Hills:

That the report of the Standing Committee on Human Services on Bill No. 40, The Status of the Artist Amendment Act, 2006 be now concurred in.

Is the Assembly ready for the question?

Some Hon. Members: — Question.

The Speaker: — Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — The motion is carried. I therefore direct that Bill No. 40, The Status of the Artist Amendment Act, 2006 be removed from the order paper.

NOTICES OF MOTIONS AND QUESTIONS

The Speaker: — The Chair recognizes the member for Indian Head-Milestone.

Mr. McMorris: — Thank you, Mr. Speaker. Mr. Speaker, I give notice that I shall on day no. 58 move that an order of the Assembly do issue for a return showing:

To the Minister of Health: please provide a copy of the most recent update provided to the Sun Country Health Region by Deloitte Inc. as part of the occupation and safety delivery review undertaken by the health authority in January 2007.

I also have a number of written questions, Mr. Speaker, that I give notice that I shall on day no. 58 ask the government the following question:

To the Minister of Health: which regional health authority have engaged Deloitte Inc. to complete operational and service delivery reviews, what are the timelines for completion, and will the results be made public?

To the Minister of Health: how many new health care workers in each profession have been recruited to date and are currently working in the province since the recruitment agency was established in the fall of 2006?

To the Minister of Health: what is the breakdown by profession of the 600 new health care professionals that the recruitment agency, department, or regional health authorities plan on recruiting?

To the Minister of Health: what was the total amount of money spent on ministerial travel in the fiscal year 2006-2007?

To the Minister of Health: how many people were sent out of province for medical treatment in the fiscal year of 2006-2007? And of those, how many were for orthopedic surgery, cancer treatment, sight restoration, cardiac care and/or diagnostics respectively, and how many would fall under categories other than these?

To the Minister of Health: how much money was spent on each specific advertising campaign the department undertook in the fiscal year 2006-2007, and which agency received the contract?

To the Minister of Health: how much money did the department spend on advertising and communication in the fiscal year 2006-2007?

To the Minister of Health: what was the total amount of money spent on staffing travel with the minister in the fiscal year 2006-2007?

To the Minister of Health: how much money was paid out in severance and to whom during the fiscal year 2006-2007?

And finally:

To the Minister of Health: what was the total payroll for the minister's office for the fiscal year 2006-2007?

Some Hon. Members: — Hear, hear!

INTRODUCTION OF GUESTS

The Speaker: — The Chair recognizes the member for Moose Jaw North.

Hon. Mr. Hagel: — Thank you very much, Mr. Speaker. Mr. Speaker, I would like to introduce to you and through you to all members of the Assembly two guests who are seated in your gallery today, Mr. Speaker. I would ask them to rise as I introduce them and then receive our acknowledgement when I've concluded.

First of all I'd like to introduce to you Bev Ward. Ms. Ward is a Regina resident and is Co-Chair for the District 42 Toastmasters spring convention which is being held this weekend at the Regina Inn here in Regina. The event brings together over 200 toastmasters from Alberta and Saskatchewan with some toastmasters coming in from Manitoba as well. The convention has a circus theme, Under the Big Top.

Beside Bev is Mona Cooley who is district governor for District 42 of Toastmasters. She's the highest ranking official for Toastmasters in all of Alberta and Saskatchewan. I understand that Mona's been a toastmaster for nearly a decade, Mr. Speaker, and has received many awards for her work in the organization. Mona and her husband have four children and four grandchildren. In her professional life, Mona is a facilitator for the Canadian Mental Health Association, the family peer support group, and is a program consultant for Parent Support Association.

I would ask all hon. members, Mr. Speaker, to welcome these two toastmasters to the Legislative Assembly and wish them every success for themselves and their colleagues at the Toastmasters conference being held this weekend here in Regina. Welcome.

Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Kelvington-Wadena.

Ms. Draude: — Thank you, Mr. Speaker. To you and through you, I'd like to introduce 21 grade 8 students from Porcupine Plain High School sitting in the Speaker's gallery. With them today are their teachers, Debra Zelany and Lawrence Schmidt. And we have chaperones, Carol Guest, and a Japanese intern, Keiko Iida. I hope I said that correctly.

Thank you very much for coming. I know you had to come on some flooded roads to get here, and everybody's got a big smile on their face. So I look forward to meeting with you later on, and welcome to your Legislative Assembly.

Hon. Members: — Hear, hear!

[10:15]

The Speaker: — The Chair recognizes the member for Melville-Saltcoats.

Mr. Bjornerud: — Thank you, Mr. Speaker. Mr. Speaker, I'd also like to introduce to you and, through you, to the Assembly

39 grade 5 students from the P.J. Gillen Elementary School in Esterhazy. They're accompanied by their teachers Alisa Leidl, Kelsey Shields, Reg Leidl, Melinda Schentag, and Marj Deschambault, along with chaperones Crystal Hawcutt, Satti Gill, and Cindy Paramour. I would ask all members to welcome them here today, and I hope they have a good time in Regina.

Hon. Members: — Hear, hear!

STATEMENT BY THE SPEAKER

Ruling on a Member's Statement

The Speaker: — Order please. Order. Before we proceed with statements by members, I wish to bring down a ruling which may be relevant to members' statements.

I've had the opportunity to review *Hansard*, and I wish to bring a matter to the attention of the Assembly. During Wednesday's statements by members, the member for Regina Coronation Park referred to another member's action as underhanded and unethical. Later he attributed unethical behaviour to another member and to an identifiable group.

Charges of impropriety against other individual members and identifiable groups of members are considered unparliamentary. We should hold ourselves to a higher standard of debate.

I call upon the member for Regina Coronation Park to unequivocally withdraw that statement. I recognize the member for Regina Coronation Park.

Mr. Trew: — Mr. Speaker, I withdraw that statement.

The Speaker: — I thank the member.

STATEMENTS BY MEMBERS

The Speaker: — The Chair recognizes the member for Regina Walsh Acres.

Day of Mourning for Workers Killed or Injured on the Job

Ms. Morin: — Thank you, Mr. Speaker. Mr. Speaker, April 28 is regrettably an extremely important day of observance in Saskatchewan and across the country, regrettably, Mr. Speaker, because for 19 years our province has observed the 28th day of April as a statutory day of mourning for those workers that are killed or injured on the job.

It was almost 20 years ago when the member from Moose Jaw North, at the request of former Saskatchewan Federation of Labour president Nadine Hunt, introduced a Bill to the legislature recognizing this day as a day to both honour those who have suffered at work and to renew our commitment to the protection of workers' safety.

It is unfortunate that it is necessary to observe a day of mourning each year, Mr. Speaker. In the past year, in our great province alone, 44 workers lost their lives as a result of their work; 13,732 documented others lost work time as a result of injury.

Workers go to their jobs every day to provide for their families, not to suffer, not to be debilitated, and not to die.

Mr. Speaker, this government is committed to ensuring that worker safety is a priority in Saskatchewan and to ensuring that our labour legislation remains strong. It is my hope and through initiatives like the action plan for healthy and safe workplaces that one day no new names will be read into the record.

The Speaker: — The Chair recognizes the member for Last Mountain-Touchwood.

Mr. Hart: — Thank you, Mr. Speaker. Mr. Speaker, Saturday, April 28 is the National Day of Mourning for workers killed or injured on the job. This day of mourning was officially recognized by the Canadian government in 1991, eight years after the day of remembrance was launched by the Canadian Labour Congress. More than 80 countries around the world observe this day of mourning, Mr. Speaker. Saturday is the day when we remember all workers who have lost their lives or have been injured on the job. It is also a day, Mr. Speaker, when we must reaffirm our commitment to providing safe and healthy workplaces in an effort to reduce on-the-job death, illness, and injuries.

Over the last year in Saskatchewan, 44 men and women lost their lives as a result of job injuries or illness. Mr. Speaker, one death is too many; 44 deaths are unacceptable and we must do better. As a result, the lives of 44 families across this province have been changed forever. Our thoughts and prayers are with each one of them as they come to terms with the tragic loss of a loved one.

Mr. Speaker, as the Canadian Centre for Occupational Health and Safety rightly observes, the National Day of Mourning for workers killed or injured on the job is, and I quote, "... as much a day to remember the dead as it is a call to protect the living." Thank you, Mr. Speaker.

The Speaker: — The Chair recognizes the member for Regina Elphinstone-Centre.

100 Years of Building Strong Kids and Strong Families in Regina

Hon. Mr. McCall: — Thank you very much, Mr. Speaker. Tomorrow evening hundreds of people will gather at the Hotel Saskatchewan to celebrate the 100th anniversary of the Regina family YMCA [Young Men's Christian Association]. I am extremely pleased to have the opportunity to take part in this special evening to honour the Y's charitable heritage and to recognize the many contributions the Y makes to the quality of life in Regina.

The Regina family YMCA has been building strong kids, strong families, and a strong Regina for more than 100 years. The very first provisional YMCA was located in a building where the Cornwall Centre now stands, but the first full-fledged Y was established in 1907. Five years later it was destroyed in the Regina cyclone, but thanks as ever to the efforts of dedicated volunteers, it reopened a year later.

Now 100 years later Regina boasts two full-service facilities

serving almost 9,000 members. Mr. Speaker, the new Y on Rochdale is a cutting-edge facility and is only one in the country with two variable-depth swimming pools. It is quickly becoming the family activity centre for citizens of northwest Regina.

Mr. Speaker, I want to congratulate the Regina family YMCA on their 100th anniversary. As a member of the Y and as a citizen of Regina, I want to thank the Y's staff and volunteers for their important and ongoing contributions to the quality of life here in Regina. All the best to President Donald Black, CEO [chief executive officer]; Randy Klassen, program director; Doris Gerrand, and the whole Regina YMCA family. I wish them every success as they embark upon their second century of service to our community. Thank you very much, Mr. Speaker.

Some Hon. Members: — Agreed.

The Speaker: — The Chair recognizes the member for Wood River.

Public Response

Mr. Huyghebaert: — Thank you, Mr. Speaker. Mr. Speaker, our office continues to receive responses to our mailout on the Murdoch Carriere scandal. To date we have received approximately 7,000 responses. Saskatchewan people are at a loss to understand how the NDP government could have rewarded a man fired for harassment and convicted of assault with a whopping \$275,000 plus a top-up to his pension.

I would like to share some of the comments with members opposite. From Regina and I quote:

I can barely speak about this issue because I'm so angry. For this government to try to justify rewarding a predator in the workplace while giving his victims almost nothing is inexcusable. I will never forget this and neither will all of the women and the men I work with.

From Saskatoon, I quote:

Cover-up does not even begin to describe what the NDP did in this case. There is far more to this story and I hope I, nor no one I know, is ever in the position these women ... [find] themselves in because protection would not be offered. Thank you for not allowing this issue to die down.

Also from Saskatoon, I quote:

I've never written to an MLA in my 54 years, but I'm appalled and shocked with the Carriere payment. I WAS an NDP supporter, but no more!

And finally from Saskatoon, I quote:

This is not appropriate! How dare you disrespect women in any way.

Thank you, Mr. Speaker.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Saskatoon Fairview.

Crime Victims Awareness Week

Mr. Iwanchuk: — Mr. Speaker, April 22 to 28 is Victims of Crime Awareness Week here in Saskatchewan. This year's theme is It's Time to Listen. Victims of crime and traumatic events need to be listened to and know that their concerns are being heard by the criminal justice system.

Mr. Speaker, there are more than 300 dedicated, caring volunteers working in victims services programs across our province, and I'm sure they would agree that listening is probably the most important part of the job of the victims services volunteer.

Mr. Speaker, Victims of Crime Awareness Week gives us the opportunity to recognize the important role these individuals play ensuring that victims of violent crime receive information and support immediately after a crime . . .

The Speaker: — Order please. Order, order. I have asked the members, as a whole, to keep order in the Assembly and I find members are ignoring the request, so I'm going to be a little more specific. I ask members to respect those members who have the floor. And if they have any debates they wish engage in, they should do so at a proper and the appropriate time or the appropriate place. The member for Saskatoon Fairview.

Mr. Iwanchuk: — Mr. Speaker, I want to recognize the following individuals who have provided 10 years of volunteer service to victims service program: Trudy Connor, northern region victim services; Susan Houle, Saskatoon victim services; Val Orb, Regina region victim services; and Gerry Tullis, Saskatoon victim services.

Mr. Speaker, I ask all members to join me in expressing our appreciation to these dedicated individuals and all our victim services volunteers for their years of service to the people of their communities. Thank you, Mr. Speaker.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Canora-Pelly.

Caucus Audit Report

Mr. Krawetz: — Thank you, Mr. Speaker. Mr. Speaker, yesterday the member for Moose Jaw North told reporters that the NDP caucus had an audit done in 1992 to determine if any taxpayers' money was missing. He said he couldn't remember the results of the audit, but he said it was immediately turned over to the police, and the police decided not to press charges.

Mr. Speaker, the Saskatchewan Party has obtained a copy of that audit. And the Saskatchewan Party has also obtained a 1994 memo from NDP caucus director of administration Carla Douglas to NDP MLA [Member of the Legislative Assembly] Pat Lorré. It appears to contradict the story we heard yesterday. The memo says, and I quote:

When I asked why the auditors report has still not been shared with me, I was told that in respect of the political sensitivity . . . that as few people as possible should be involved . . . furthermore the office had decided not to press charges in light of the small sum . . .

Mr. Speaker, note that the memo suggests that the NDP caucus office — not the police — decided not to press charges. The memo then says this, quote, "Jim . . . asked why I thought the police had the [audit] . . ."

The Speaker: — Order, order. I request the member for Regina South to not interfere into the debate or the statements. With apologies, the member for Canora-Pelly may complete his statement.

Mr. Krawetz: — Continuing with the quote, Mr. Speaker, "When I told him . . . he had told me the police had the report he rapidly back peddled and tried to say that I had misunderstood him . . ."

Mr. Speaker, based on this statement, it is unclear whether the audit report actually was turned over to the police in 1992.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Saskatchewan Rivers.

North Central Regional Recreation Association Volunteer Awards

Mr. Borgerson: — Mr. Speaker, this past Saturday night the North Central Regional Recreation Association held its annual Volunteer Recognition Awards in my constituency of Saskatchewan Rivers.

It was a great evening of music, good food, and company, and well-deserved awards to the following persons: Stanley and Grace Livingstone who share their African music and their pride at being new Canadians; Willie and Sheila Baessler who share their German heritage in schools and community events; Patrick Markowski, a 15-year-old Wesmor student, who sets an example of volunteerism in his school community; Pauline Reynaud of Wakaw who compiled the St. Benedict and district history book; Catherine Mazurkewich who has served the community of Cudworth on numerous recreation boards and committees; Heather Pocha of Lily Plain, an active 4-H supporter and community volunteer; Dale McLeod who has served on numerous boards in Prince Albert and Candle Lake; Greg Nolan of Paddockwood who played a key role in commemorating the Montreal Lake Trail during our centenary; Roberta Burns who seems to be a presence almost everywhere in Prince Albert; and Jim O'Sullivan who teaches, referees, and coaches judo at all levels of competition.

Mr. Speaker, I ask all members to join me in thanking the North Central Recreation Association for its good work and in congratulating the 2007 Volunteer Award winners. They exemplify the spirit of volunteerism that characterizes this province. Thank you, Mr. Speaker.

Some Hon. Members: — Hear, hear!

STATEMENT BY THE SPEAKER

Ruling on a Point of Order

The Speaker: — Because of its relevance to oral questions, I wish to bring down a ruling at this time. Yesterday the Opposition House Leader raised a point of order regarding the future admissibility of a line of questioning that the member for Canora-Pelly was pursuing during oral question period yesterday. I wish to thank both him and the Government House Leader for their interventions.

Members will be aware that parliamentary rules and traditions exist to ensure that oral question period is conducted in an appropriate manner. Paragraph 409(6) of Beauchesne's, 6th Edition, states, "A question must be within the administrative competence of the Government."

Marleau and Montpetit, on pages 426-427, further clarifies this principle by stating that "a question should not address a Minister's former portfolio or any other presumed functions, such as party or regional political responsibilities."

These authorities have been interpreted and applied in this Assembly. In this vein, there have been no fewer than nine rulings on such matters over the course of the last decade. Two statements made in the year 2000 are particularly relevant to the current circumstances. On April 17, 2000, my predecessor stated that:

[10:30]

Comments regarding the political responsibilities of a minister or the Leader of the Opposition or of any other member are properly matters of debate. As such, they may be raised during debate on relevant topics in bills, estimates, and motions. During question period however, only questions touching upon the collective administrative responsibility of the government or the current individual responsibilities of a minister are properly the subject of oral questions.

The questions asked by the hon. member concerned a former employee of the government caucus in the early 1990s and sought to determine whether she may have been involved in the misappropriation of public funds. While I recognize that members of the Executive Council do belong to the government caucus, the internal affairs of any caucus, as with those of any political party, do not fall within the administrative responsibility of the government.

The Opposition House Leader cited several instances from 1996 to support his opinion that the questions should be permitted. At the surface, these instances do appear to support the Opposition House Leader's point of view. However the 1996 precedents can be distinguished from the matter at hand in that the former — the 1996 precedents — did touch upon the administrative responsibility of the executive, namely the recovery of public funds by the government.

In contrast, the questions at issue yesterday address the internal accounting of funds within a caucus. In putting questions to ministers during oral question period, members must clearly

connect their questions to a government responsibility or portfolio. The member for Canora-Pelly failed to clearly make this connection.

In arriving at my decision, I recognize that it is often a fine line that divides those questions that are acceptable and those that are not. A ruling dated May 9, 2000, addressed the difficulty of maintaining a balance on matters such as the issue at hand.

Firstly, the matter in which a question is phrased is of primary importance. As noted in that ruling, "An appropriately worded preamble could prompt me as Speaker to intervene, even though the question or answer to follow is procedurally acceptable."

The ruling states:

The difficulty that I, as Speaker, must resolve is determining whether a question, while it is being posed, is in order. In some instances, it is very clear where a member is heading and that the subject matter is inappropriate. In other instances, it is only after a member has completed asking his . . . question that one is able to determine its procedural acceptability. In many instances, by the time the appropriateness of the question is determined the minister has indicated his or her desire to respond.

There is another dynamic of question period that touches upon the difficulty of the present situation. Upon review of the relevant precedents, I have found some examples where ministers have voluntarily answered questions. Sometimes a minister has answered in terms of their Board of Internal Economy responsibilities. Yesterday I did provide an opportunity for a minister to voluntarily respond to the question. This opportunity was not taken. Therefore the next question was called.

Pursuant to a review of precedents and in response to the point of order, I rule as follows. Number one, questions must be posed in a manner that clearly connects the issue to the responsibility of a minister or the government as a whole. Number two, when a question is put that is not directly connected to a government responsibility, the Speaker shall rule the question out of order but provide the government with the option to respond. Three, this ruling does not preclude members raising this type of issue by other means that are available.

This ruling is in line with the Assembly's practice to allow questions related to political parties when they are posed in terms of the legislation, statutes, or administration of the law. It is also in line with the practice to allow ministers to voluntarily respond to questions outside their ministerial responsibilities.

In closing I want to note a matter of particular concern to the Speaker. Yesterday during my initial ruling, a few remarks were heard to challenge the impartiality of the Speaker. In future this will not be tolerated.

ORAL QUESTIONS

The Speaker: — The Chair recognizes the member for Canora-Pelly.

Misappropriation of Funds by Former Caucus Worker

Mr. Krawetz: — Thank you, Mr. Speaker. Mr. Speaker, I have a question regarding the collection of the public money. And I wish to connect it by referring to page 429 of Marleau and Montpetit which talks about raising questions in question period regarding the administration of the House. It indicates that these questions are in order in question period and should be directed to the member of the Board of . . .

The Speaker: — Order please. Order please. Would the member just proceed with his question to the minister. A ruling has come down, and there should not need be any debate about the ruling. The Chair recognizes . . . Order please. Order please. Order please. The member may proceed with a question to the government or executive members.

Mr. Krawetz: — Mr. Speaker, my question is: how much taxpayers' money was misappropriated by Ann Davey and what has the government done to re-collect that amount?

The Speaker: — The Chair recognizes the Government House Leader.

Hon. Mr. Hagel: — Mr. Speaker, as House Leader I will voluntarily respond to the question raised by the hon. member. Mr. Speaker, back in 1992, early 1992, the New Democrat caucus unfortunately hired an employee who was hired under a false identification and who subsequently advised the caucus that she had misappropriately received funds that were not due to her.

Mr. Speaker, that led immediately to a meeting with the Regina city police where the letter was disclosed, and a audit was recommended by the Regina city police. That was done. A special audit was done and turned over to the police who subsequently advised that the Regina city police did not lay, prefer charges.

Mr. Speaker, I am pleased to lay on the Table a copy of that special audit that was done at that time when referred to the police and also to lay on the Table a subsequent audit that was done in 1994 — a complete audit to review all of the procedures of the New Democrat caucus which were subsequently implemented. I so table.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Canora-Pelly.

Mr. Krawetz: — Thank you, Mr. Speaker. Mr. Speaker, Ann Davey admitted to misappropriating \$5,900. The audit report that the minister has referred to, done in 1992, identifies \$6,166 missing from the NDP caucus office. How much money did Ann Davey misappropriate from the NDP caucus office?

The Speaker: — The Chair recognizes the Government House Leader.

Hon. Mr. Hagel: — Mr. Speaker, if the hon. member correctly reads the audit, he'll recognize that the special audit indicated that there were some payments made for which verification

could be not documented.

But I think, Mr. Speaker, it is very clear what this is about. Today is the 25th anniversary of the election of the Devine government, which many would call the most corrupt government in the history of Saskatchewan. And this is nothing other than an attempt of the Saskatchewan Party, whose leader worked in that government and who also said that he considered it a learning experience to have worked in that government.

Mr. Speaker, a question I ask the member opposite is, if he has information which he believes should be taken to the police, then has he taken it to the police? If he has not taken it to the police, how long has he had it, and why has he not taken that information to the police for their consideration?

Some Hon. Members: — Hear, hear!

The Speaker: — Order. Order. Order. Order. The Chair recognizes the member for . . . Order. Order. The Chair recognizes the member for Canora-Pelly.

Mr. Krawetz: — Mr. Speaker, what steps have been taken by the NDP to recover the money that Ann Lord misappropriated and took from the taxpayers of this province, and how much has been recovered?

The Speaker: — The Chair recognizes the Government House Leader.

Hon. Mr. Hagel: — Mr. Speaker, let me make a point very clear: that the point at which it was thought to be possible that there was a case of misappropriation, that information was delivered to the Regina city police immediately.

This caucus, Mr. Speaker, took it to the police immediately, contrary to the record of the predecessors of the Saskatchewan Party, the Conservatives, who made no complaint to the police — in fact were the subject of police investigation, and charges were subsequently laid and convictions followed.

Mr. Speaker, today on the 25th anniversary of the election of the Devine government, we find questions being raised by the Saskatchewan Party whose leader — who worked in the Saskatchewan Party operation, or in the Devine government Conservative operation — had this to say about that experience. He said, "I think it's an asset that I was involved in a government that lost its way on these issues."

Well, Mr. Speaker, when we thought there was wrongdoing, we reported it to the police. I ask the hon. members, have they taken it to the police? If not, why not? Is this about integrity or about politics?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Canora-Pelly.

Mr. Krawetz: — Thank you, Mr. Speaker. Mr. Speaker, the Saskatchewan Party has obtained a 1994 memo from former NDP caucus director of administration Carla Douglas to former NDP MLA Pat Lorjé. The memo says, and I quote:

At this point Jim sat me down to “discuss the matter” of Ann Lord in more detail. What he shared with me was that the auditor had in fact uncovered what he categorized as “unauthorized loans” in the amount of \$5,000 - \$7,000.

Mr. Speaker, Ann Davey confessed to defrauding the taxpayers of Saskatchewan by altering cheques. Does the minister consider these to simply be unauthorized loans?

The Speaker: — The Chair recognizes the Government House Leader.

Hon. Mr. Hagel: — Mr. Speaker, let me repeat the facts. The facts are these: that when the information was received that there was the possibility of misappropriation, that information was given to the Regina city police immediately. The fact of the matter is the Regina city police recommended an audit to determine the actual facts. That was done. And it was that copy of that special audit was provided to the Regina city police who subsequently, Mr. Speaker, who subsequently chose to not lay charges, considered that not the appropriate course of action. That’s a decision of the Regina city police, Mr. Speaker.

And I ask the hon. member one more time, if he has information, if he has information which he believes that points to wrongdoing, has he taken it to the police? If not, why not? How long has he hung on to it if he’s not taken it to the police? And will he come clean, in fact, that this is . . .

The Speaker: — The member’s time has elapsed.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Canora-Pelly.

Mr. Krawetz: — Thank you, Mr. Speaker. Mr. Speaker, yesterday the minister told reporters that the police had decided not to lay charges. The Carla Douglas memo appears to contradict that claim. It says, and I quote:

When I asked why the auditors report had still not been shared with me, I was told that in respect of the political sensitivity of the issue that as few people as possible should be involved, and that furthermore the office had decided not to press charges in light of the small sum in comparison to the large sum Ann was being indicted for in the United States.

Mr. Speaker, this memo suggests that it was the NDP caucus office that had decided not to proceed with charges. Is this correct?

The Speaker: — The Chair recognizes the Minister of Justice.

Hon. Mr. Quennell: — Mr. Speaker, I think the member’s question arises from watching too much American television. In Canada, the decision about whether charges are laid is made by the police services. Whatever an author of a memo might think, whatever the member might think from watching too much American television, in Canada the decision as to whether charges are made is made by the police. And whether they are proceeded with to court is made by independent Crown

prosecutors. That’s how it works here. We do not want to build a house of cards on a misapprehension based on watching too much *Law & Order*, Mr. Speaker.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Canora-Pelly.

Mr. Krawetz: — Perry Mason and *Law & Order*, Mr. Speaker. Perry Mason and *Law & Order*. Mr. Speaker, yesterday the minister indicated that the auditor’s report was immediately turned over to the police and he confirmed that again today, Mr. Speaker.

The Carla Douglas memo calls that statement into question. It says, and I quote:

. . . interestingly enough [Jim] asked why I thought the police had the report. When I told him that he had told me the police had the report he rapidly back pedalled and tried to say that I had misunderstood him.

Mr. Speaker, exactly when was the auditor’s report first turned over to the police?

[10:45]

The Speaker: — The Chair recognizes the Minister of Justice.

Hon. Mr. Quennell: — Mr. Speaker, I’ll try this one more time. The difference between Perry Mason and *Law & Order* just may reflect the difference in age between the member from Canora-Pelly and myself.

The issue is the same, Mr. Speaker. The reality is that in this country, whatever the author — a layperson, a non-lawyer, the author of a memo — might think, the fact is that in this country the decision as to whether charges are proceeded with — laid with and proceeded with — are the decisions of independent police services and the decisions of independent prosecutors, Mr. Speaker.

And we can’t build . . . And if the member from Saskatoon Southeast has a comment to make in this regard, I wish he would take the courage to rise to his feet and comment directly.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Estevan.

Support for Adult Basic Education

Ms. Eagles: — Thank you, Mr. Speaker. Mr. Speaker, this week the Justice minister attended a business leaders’ literacy breakfast. In his remarks the minister talked about his government’s commitment to literacy. He talked about how literacy provides the essential tools that ensure people can be successful.

Mr. Speaker, these are glowing words. And given all of those fine words, why is this government making cuts to the adult

basic education in Estevan?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister of Learning.

Hon. Ms. Higgins: — Well, Mr. Speaker, I think the member opposite has got us mixed up with the federal government in Ottawa. I don't know how she's done that.

This government established the Literacy Commission. Two and a half million dollars goes to the commission to promote community projects, to promote family literacy right across the province. The Literacy Commission does a great job. There is requests for proposals out, some that have been recognized. The plans are proceeding and, Mr. Speaker, we've actually increased funding to the Literary Commission this year.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Estevan.

Ms. Eagles: — Mr. Speaker, the adult basic education program at the Southeast Regional College has been in operation for 25 years. The students are mostly women, with some single mothers. These vulnerable students are doing everything they can to improve their lives. These students are struggling to get the skills they need to get better jobs and earn a better standard of living.

Mr. Speaker, why is this government pulling the rug out from under them? Why is this government making it harder for these people to get a better education?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister of Advanced Education and Immigration.

Hon. Ms. Atkinson: — Thank you, Mr. Speaker. In the budget of '07-08, which the members voted against a few weeks ago, we launched seats for about 5,890 citizens of the province of Saskatchewan which would have access to adult basic education. And in fact last fall, Mr. Speaker, when the federal government did not honour its agreement with the province — the labour market agreement — we agreed that community colleges as well as SIIT [Saskatchewan Indian Institute of Technologies] and DTI [Dumont Technical Institute] could start providing adult basic education services on-reserve.

This was a total difference in what had been happening in the past, where federal government had jurisdiction on the reserve and they were to provide funding. Mr. Speaker, we have made great strides when it comes to adult basic education because we know that people need a basic grade 12 in order to go on to further education and skills training.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Estevan.

Ms. Eagles: — Mr. Speaker, this government says it's committed to literacy and committed to giving people the skills they need to be successful. However this government's actions speak louder than its words. Adult basic education students in Estevan now face another hurdle; they won't be able to take the classes in their community. Mr. Speaker, the man who made this decision was Graham Mickleborough, who ran for the NDP and lost in the Weyburn by-election. Mr. Mickleborough claims interest in basic education in Estevan is waning and, Mr. Speaker, that is not true. Mr. Speaker, will this government commit today to reviewing this decision with an eye to restoring adult basic education in Estevan?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister for Advanced Education and Employment.

Hon. Ms. Atkinson: — Thank you very much, Mr. Speaker. As the members will know, Saskatchewan is the only jurisdiction in Canada that has regional colleges all across Saskatchewan. We are able to provide adult basic education and skills training and university classes outside of the major centres of Saskatoon, Regina, P.A. [Prince Albert], and Moose Jaw, Mr. Speaker. No other province in Canada has this.

Mr. Speaker, we brought community colleges to Saskatchewan in the late 1970s. That was what a New Democratic government did in the '70s. Mr. Speaker, we have over 5,880 individuals that will have access to adult basic education, including First Nations on-reserve, thanks to the '07-08 budget which those members opposite did not bother supporting.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Humboldt.

Assistance to Cattle Producers in Humboldt Area

Ms. Harpauer: — Mr. Speaker, flooding in the RM [rural municipality] of Humboldt has reached disastrous proportions. The Waldsea Lake Regional Park is completely lost, including 67 cabins. There are over 30 washed out roads and more than 60 miles of roads closed due to flooding. The flooded waters have joined two lakes together which is creating an even bigger problem. Many cattle farmers in the area have water supplies for their cattle that are now contaminated. Mr. Speaker, what is this government going to do to assist the ranchers in keeping their cattle alive?

The Speaker: — The Chair recognizes the Minister for Public Safety.

Hon. Mr. McCall: — Thank you very much, Mr. Speaker. We've been maintaining contact with the local authorities in Waldsea Lake area on a daily basis. We're well aware of the situation.

And I guess what we're trying to do as the provincial government is work in support of the local authorities that have the primary call, the best read on the situation on the ground, and we're trying to back them up in the work that they're doing,

Mr. Speaker. We're also working through instruments like the provincial disaster assistance program, which in the past two years has put forward, has worked with \$26 million worth of claims compared to the 30 million over the previous 30 years of experience with the program.

Mr. Speaker, we're going to be working very closely with the local authorities to make the appropriate response to the emergency situation as it presents in Waldsea Lake and throughout the province.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Humboldt.

Ms. Harpauer: — Mr. Speaker, it's the local authorities that are contacting me. So further to the immediate problem, when the water recedes the saline soil will ruin the land forever. As a result, these ranchers have no option but to find some other source of pasture and drinking water because it will be contaminated.

According to the RM office the municipality has already applied for the provincial disaster assistance fund, but the program does not offer any assistance toward pasture land, nor does Crop Insurance or any other government agency. What is the NDP government going to do to help these ranchers, both short term and long term?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister of Agriculture and Food.

Hon. Mr. Wartman: — Thank you, Mr. Speaker. Mr. Speaker, in terms of water, I think the members opposite are aware that we put \$1 million of new money into work with the PFRA [Prairie Farm Rehabilitation Administration]. Primarily the focus was on the drought area in the Southwest, but it does provide for those who want to dig dugouts, who want to put in wells, and it's a fairly substantial piece of the program. So if there are those who need to develop alternate water supply, there is opportunity there.

Secondly, in terms of feed we do have a registry that talks about feed availability. And in the past we have also provided support and information for those who need to move cattle to a pasture that is available. And we'll continue to provide those services. Thank you.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Humboldt.

Ms. Harpauer: — Mr. Speaker, perhaps the minister doesn't understand. Waldsea Lake is a saltwater lake, so the water is contaminated now with saline water.

I provided the RM with the community pasture numbers to see if the producers could relocate their cattle to community pasture for the short-term solution, and to date there has been no

community pasture that's available to help them out. The main source of income for many of these people in this area is cattle, and their livelihood is in jeopardy. The RM says in a letter, and I quote: "Our ratepayers are desperate for some type of assistance."

Mr. Speaker, what is the NDP government going to do for these desperate people? What financial and physical assistance is available for these ranchers to relocate their cattle?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister of Agriculture and Food.

Hon. Mr. Wartman: — Thank you, Mr. Speaker. As I said previously, we have provided the lists of where pasture and feed are available. We can do so again. And there will certainly be, as these requests roll forward, there will be people in our department who will be working with them to find solutions and find them very quickly, Mr. Speaker.

We recognize the importance of looking after cattle in this province. We have a really good, strong industry, and we want to make sure that these people who are facing difficulties get the necessary supports. Thank you.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Melville-Saltcoats.

Support for Farmers

Mr. Bjornerud: — Thank you, Mr. Speaker. Mr. Speaker, further to the member for Humboldt's questions, this is also on disaster programs in the province of Saskatchewan. We're still getting calls from all over the province, Mr. Speaker. From the Southwest, there's still pockets that are very dry. And from central and northeast Saskatchewan, many acres are under water out there and probably won't be able to be seeded.

These farmers are calling, wanting to know what is the government's intentions with aid this year. Last year, as we all know, the federal government put an additional \$15 an acre in. The province matched that up to a point of \$10 an acre.

What farmers are asking now — and they've heard of a disaster program in the works — what help will be there for them this year? Because they're planning seeding intentions right now and need to know, Mr. Speaker, very quickly, what's about to happen.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister of Agriculture and Food.

Hon. Mr. Wartman: — Thank you, Mr. Speaker, and I thank the member opposite for the question. These are certainly timely issues. We've got, as he indicates, a program that is needed in the country, not just in this province, but across the country. And there is unity amongst all the provinces and

provincial ministers that we want a formula for disaster, for funding disasters. We want the federal government to be in there. The member himself is on record noting that 60/40's not on for disaster. That is the position of the provincial ministers.

We ourselves have offered, to kind of try and get things to move ahead, 10 per cent of whatever disaster funding there would be coming in. The federal government to date is not responding positively to that or to any of the initiatives from the other provinces. But in the meantime, as I say, we've put \$1 million into drought in the Southwest. We're closely monitoring what's happening in the Northeast. Thank you.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Melville-Saltcoats.

Mr. Bjornerud: — Well thank you, Mr. Speaker. Well, Mr. Speaker, as we've seen in the last number of weeks, for one example, the comparison between Manitoba and Saskatchewan crop insurance. And Saskatchewan crop insurance falls far short of what our neighbours on both sides, Mr. Speaker. Whether they farm in Manitoba or they farm in Alberta, the Saskatchewan farmers have far less of a program than their neighbours. Mr. Speaker, when you come to the education tax on farm land, this government seems fit to tax farmers far higher than anywhere else in the Dominion of Canada. So once again our farmers fall behind and have a hard time competing.

What we're asking the minister today I think is fair, Mr. Speaker. Seeding intentions are being put together right now in the province of Saskatchewan. Our farmers need to know now — not in August, not in September — they need to know now. Will there be help coming from this provincial government and the federal government? They aren't worried about the formula the minister talks about. They're worried about how they get enough money to put this crop in. Will the minister give them some direction today?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister of Agriculture and Food.

Hon. Mr. Wartman: — Well, Mr. Speaker, we're in touch with the producers around this province. They know what we're engaging in today. It's the member opposite I think that needs the information, Mr. Speaker. He has certainly made clear to the public that he doesn't understand crop insurance. He's made that clear on a couple of occasions. And I would say the last time he started on that tack, he should have pulled in his horns then.

Mr. Speaker, we made clear that this crop insurance program in this province has provided millions more dollars than any other program in the country, Mr. Speaker. Millions more.

Some Hon. Members: — Hear, hear!

Hon. Mr. Wartman: — And I could tell you this as well, Mr. Speaker, that there are differences in the risk between this province and other provinces. The people of this province know

this because they read it in the newspapers, because they understand it. The member opposite doesn't get it yet, Mr. Speaker. The fact is that this crop insurance program is improving all the time and is providing support for the farmers of Saskatchewan. Thank you.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Melville-Saltcoats.

Mr. Bjornerud: — Well thank you, Mr. Speaker. Well I'll tell the minister, Mr. Speaker, a few of the things I do understand. I understand that if I plant spring wheat in Saskatchewan and I want the 80 per cent coverage, I pay \$8.48 per acre. I also know that if I was over the border in Manitoba, I'd pay 4.50 an acre for that same coverage.

Some Hon. Members: — Hear, hear!

Mr. Bjornerud: — Mr. Speaker, I also know that if I plant canola in Saskatchewan and want that 80 per cent coverage, I pay 12.50 an acre. I also know that if I was in Manitoba, I'd pay \$11. On top of that, Mr. Speaker, I have almost double the coverage on the Manitoba side.

So, Mr. Speaker, the minister may say I don't understand, but I'll tell him one thing. The farmers of Saskatchewan understand, and should they ever screw up the courage to call an election, there will be no support the way that minister's dealing with the agriculture portfolio.

[11:00]

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister of Agriculture and Food.

Hon. Mr. Wartman: — Well, Mr. Speaker, thank goodness the farmers of this province generally understand the program a lot better than the member opposite.

Some Hon. Members: — Hear, hear!

Hon. Mr. Wartman: — He may have some ideas, Mr. Speaker, about the Manitoba program, but he certainly does not understand crop insurance program in Canada. Or if he does understand it, then he's engaged in some kind of a game, Mr. Speaker, and the people of this province will understand and he'll get the effects of that down the road, as will his party, Mr. Speaker.

Mr. Speaker, this government has provided significant millions of dollars of support. When we look at what we're doing compared to every other province, five times the provincial per capita average in terms of our support for farmers. Mr. Speaker, that record is solid, that record stands, and the farmers of this province know it and, Mr. Speaker, they're thankful for the levels of support that we've given. Thank you.

Some Hon. Members: — Hear, hear!

MINISTERIAL STATEMENTS

The Speaker: — The Chair recognizes the Minister of Labour.

Hon. Mr. Forbes: — Mr. Speaker, I rise to ask leave of the Assembly to make a statement of importance to Saskatchewan workers.

The Speaker: — Order please. The Minister of Labour has requested leave to make a statement of importance to Saskatchewan workers. Is leave granted?

Some Hon. Members: — Agreed.

The Speaker: — Leave has been granted. The Chair recognizes the Minister of Labour.

**National Day of Mourning for Workers
Killed or Injured on the Job**

Hon. Mr. Forbes: — Thank you, Mr. Speaker. Mr. Speaker, Saturday, April 28 is the National Day of Mourning for workers killed or injured on the job. In Canada an average of five people are killed on the job every working day of the year and many thousands more Canadian workers are injured each year, many of them permanently. These deaths and injuries exact a toll and suffering, grief, and shattered lives that cannot be measured.

Mr. Speaker, today we mourn all those who've lost their lives or suffered injury as part of the effort to build our province and our country, and our thoughts and prayers are with those left behind struggling to recover from this irreplaceable loss. Every worker killed was someone's son or daughter, someone's mother or father, someone's brother or sister.

We cannot change the past to undo the terrible damage done, nor can we make the grieving families whole again. But we can spare other families that same anguish by doing everything in our power to prevent such workplace tragedies.

April 28 is indeed a day of mourning and I hope we can all make April 28 a day of renewed commitment — a renewed commitment to health and safety in the workplace, a renewed commitment to further reducing workplace injuries, illnesses, and fatalities.

Since the last Day of Mourning, the Workers' Compensation Board has recognized the deaths of 44 people in our province from illnesses or injuries sustained on the job. Almost 14,000 more were injured. Mr. Speaker, I ask all hon. members to rise as I read into the record the names of those 44 men and women who have died over the last 12 months from work-related injuries and illnesses. And I also ask that we observe a moment of silence to honour their memory when I have finished.

Scott Bangsund
James Bodnarek
Christopher Cuthand
Tim Eberts
Sidney Gordon
Douglas Howie
Ed Kaban
Donald Marsh

Denis Beaulieu
Roy Clark
Ronald Deglau
Rick Ganje
Amil Hlushak
William Hynds
Gilles Litalien
Bryson McFarling

Bruce Moore
John Parbst
Victor Poborsa
Richard Wolsey
Stan Herperger
Roland Fenwick
Clarence McDowell
Ray Smith
Charles West
Cyril Daniel Quayle
Edward Usselman
Herbert Parenteau
Thomas Dunlap
Peter Gayowski

Kerry Oscar
Becki Pilgrim
Monty Schrader
Ernest Osatchuk
Louis Chartier
Ralph Johnson
Valerie Samatte
Robert Storey
Edward McGovern
Paul Horishney
Lawrence Pyle
Rose Belfour
Bernice Drinkle
Robert Gould

[The Assembly observed a moment of silence.]

The Speaker: — Thank you very much. The Chair recognizes the member for Last Mountain-Touchwood.

Mr. Hart: — Thank you, Mr. Speaker. Mr. Speaker, I would like to join with the Minister of Labour in honouring those men and women who have lost their lives in workplace deaths or as a result of workplace injuries or illnesses that have been contracted in the workplace.

There are some of our men and women who have died as a result of dealing with asbestos in the workplace and other toxins, Mr. Speaker. These are issues that we must deal with, that we must work hard to prevent so that the families of these men and women who are no longer here with us and future families do not have to incur these type of tragedies, Mr. Speaker.

So I think it's incumbent upon all members in this Assembly that we work together to ensure that the men and women that work across this province can have confidence that everything is being done to make their workplace safe, Mr. Speaker. And so I would encourage all members to work to that goal, Mr. Speaker, so that we can prevent those type of deaths and injuries, Mr. Speaker, so that one day our list may be very short if not eliminated, Mr. Speaker. Thank you.

Some Hon. Members: — Hear, hear!

The Speaker: — Why is the member for Cumberland on her feet?

Hon. Ms. Beatty: — I request leave to introduce guests, Mr. Speaker.

The Speaker: — The member for Cumberland has requested leave for introductions. Is leave granted?

Some Hon. Members: — Agreed.

The Speaker: — Leave is granted. The Chair recognizes the member for Cumberland.

INTRODUCTION OF GUESTS

Hon. Ms. Beatty: — Mr. Speaker, I am very proud to introduce eight grade 9 students from Churchill Community High School

and they're from the most beautiful part of the province — I'm a little biased — they're from La Ronge. But I'm very happy to see them here, and they're accompanied by their teacher, Ms. Christine Ravenis.

And I would ask all members to help me in welcoming them to their legislature, Mr. Speaker.

Hon. Members: — Hear, hear!

The Speaker: — Before we proceed to orders of the day, I wish to welcome a special guest in the Assembly, if you would just wait for a moment. Earlier today I had the pleasure of tabling the 2006 report of the Provincial Ombudsman. I see our Ombudsman is here today, accompanied by another person. I would like to welcome Mr. Kevin Fenwick to this Assembly.

Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Last Mountain-Touchwood.

Mr. Hart: — Thank you, Mr. Speaker. Mr. Speaker, I would like to join with you in welcoming Mr. Kevin Fenwick. He's a constituent of mine. We have had brief conversations, not specifically dealing with his work but with things relating to the area of Balcarres, Fort Qu'Appelle, and Last Mountain-Touchwood. And I've always enjoyed exchanging views with Mr. Fenwick. And I certainly would like to join with you, Mr. Speaker, in welcoming him here today.

Hon. Members: — Hear, hear!

ORDERS OF THE DAY

The Speaker: — The Chair recognizes the Government House Leader.

Hon. Mr. Hagel: — Mr. Speaker, I would request leave of the House to move, before the 75-minute debate, to deal with private Bill No. 302.

The Speaker: — The Government House Leader has requested leave of the Assembly to move directly to Bill 302 under private Bills. And I assume after that to revert back to 75-minute debate?

An Hon. Member: — Yes.

The Speaker: — Is leave granted?

Some Hon. Members: — Agreed.

The Speaker: — Leave has been granted.

PRIVATE BILLS

Clerk: — Committee of the Whole.

The Speaker: — I do now leave the Chair for the Assembly to go to Committee of the Whole.

COMMITTEE OF THE WHOLE

Bill No. 302 — The Hotels Association of Saskatchewan Amendment Act

Clause 1

The Deputy Chair: — Members of the committee, the item before the Assembly is Bill No. 302, An Act to amend An Act to incorporate Hotels Association of Saskatchewan. I would invite the sponsoring member of this Bill, the hon. member for Regina Wascana Plains, to outline the purpose of the private Bill.

Ms. Hamilton: — Thank you, Mr. Chair. Last year, the Hotels Association of Saskatchewan celebrated their 75th anniversary. They now have expanded their membership to include brew pub operators, licensed lounges, licensed nightclubs, and licensed restaurants. So the name change that is presented here with this Bill reflects the broadening and strengthening of their membership. And I know all members would want to wish them best wishes in their expanding membership and their continuing professional development. Thank you, Mr. Chair.

The Deputy Chair: — I thank the hon. member for Regina Wascana Plains. Are members ready to proceed with the Bill clause by clause?

Some Hon. Members: — Agreed.

The Deputy Chair: — The preamble, is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — That's carried.

[Preamble agreed to.]

The Deputy Chair: — Clause no. 1, short title. Is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — That's carried.

[Clause 1 agreed to.]

[Clauses 2 to 6 inclusive agreed to.]

The Deputy Chair: — Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: An Act to amend An Act to incorporate Hotels Association of Saskatchewan. Is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — That is carried. So I would invite the hon. member for Regina Wascana Plains to move that the committee report the Bill.

Ms. Hamilton: — I would move that the committee report this Bill without amendment.

The Deputy Chair: — It's been moved by the hon. member for Regina Wascana Plains that Bill No. 302, The Hotels Association of Saskatchewan Amendment Act be reported

without amendment. Is it the pleasure of the committee to adopt this motion?

Some Hon. Members: — Agreed.

The Deputy Chair: — That is carried. I recognize the Hon. Government House Leader.

Hon. Mr. Hagel: — Mr. Chair, I move the committee rise, report progress, and ask for leave to sit again.

The Deputy Chair: — So you've heard the motion from the hon. government house member. Is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — That is carried.

[11:15]

[The Speaker resumed the Chair.]

The Speaker: — Order, order. The Deputy Chair of committees is recognized.

Mr. Prebble: — Thank you very much, Mr. Speaker. Mr. Speaker, I'm instructed by the committee to report Bill No. 302, The Hotels Association of Saskatchewan Amendment Act without amendment.

The Speaker: — When shall this be read a third time? The Chair recognizes the member for Regina Wascana Plains.

THIRD READINGS

Bill No. 302 — The Hotels Association of Saskatchewan Amendment Act

Ms. Hamilton: — Mr. Speaker, I move that this Bill be now read a third time and passed under its title.

The Speaker: — It has been moved by the member for Regina Wascana Plains that Bill No. 302, The Hotels Association of Saskatchewan Amendment Act be now read a third time and passed under its title. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Motion is carried.

Clerk Assistant: — Third reading of this Bill.

The Speaker: — Now before we proceed to the 75-minute debate, I wish to advise members that His Honour will be here for Royal Assent in approximately 15 minutes, at which time I will interrupt the proceedings for Royal Assent.

SEVENTY-FIVE MINUTE DEBATE

The Speaker: — The Chair recognizes the member for Regina Walsh Acres.

Some Hon. Members: — Hear, hear!

Occupational Health and Safety for Workers

Ms. Morin: — Thank you, Mr. Speaker. At the conclusion of my remarks, I will be moving a motion seconded by the member for Saskatoon Centre. Although I'm quite ill today, Mr. Speaker, it's my pleasure to enter into this debate on a topic of great concern to myself personally and this NDP government.

In fact, Mr. Speaker, the safety and health of workers has long been a field in which Saskatchewan governments, specifically those CCF [Co-operative Commonwealth Federation] and NDP, have been part of the avant-garde. Thirty-five years ago an NDP government, much like the one that continues to improve on the rights of workers today, introduced North America's first occupational health and safety legislation. In April 1972 Saskatchewan introduced the most comprehensive health and safety provisions enshrined by legislation of any jurisdiction on the continent.

Mr. Speaker, The Occupational Health Act for the first time established definitions for occupational health. It prescribed duties and responsibilities for the health and safety division, occupational health officers, and the chief medical officer. Mr. Speaker, the Act also established parameters for the operations and responsibility of the Occupational Health and Safety Council and formalized parameters for offences, penalties, and an appeal process.

Before 1972, health and safety regulations were scattered, disparate, and narrow in scope. Some industries were governed by certain safety regulations, and other guidelines were codified in various health policies. Mr. Speaker, the NDP Government of Saskatchewan became the first in North America to produce a comprehensive Act concerning occupational health and safety. And, Mr. Speaker, it was entrenched in labour standards. Few seem to realize the significance of the relationship between health and safety in the workplace and labour standards. The distinction, Mr. Speaker, is certainly lost on the Sask Party opposite.

These provisions could have been appended to a piece of health legislation or left to regulation within specific industries. Instead, Mr. Speaker, the government wisely decided that occupational health and safety was to be entrenched within labour standards. The Government of Saskatchewan decided that it was to be the right of workers — all workers — to go to their respective workplaces protected by specific and effective legislation. Workers in Saskatchewan were to be protected from harm while at work, no matter where and without equivocation.

Mr. Speaker, in 1993 after a decade of stagnation and regression of both policy and ethic at the hands of another administration — of which some of the members opposite were either members of the legislature for the Devine Conservatives or staff — this NDP government introduced The Occupational Health and Safety Act. Saskatchewan became the first jurisdiction to ever recognize harassment as a health and safety issue within the workplace. Today only three other jurisdictions in Canada even require employers to protect workers from workplace harassment.

It was in the spirit of innovation that this NDP government acted in 1993 when it added harassment provisions to The Occupational Health and Safety Act which, Mr. Speaker, members of that Sask Party opposition voted against. This is just another example of the foresight that this government has used to identify necessary changes to protect workers from suffering harm at work.

Of course the progress of this province's labour legislation didn't stop there, Mr. Speaker. The Balancing Work and Family initiative was established and spanned over 1997 and '98. It included a public task force and primary research on the employees in Saskatchewan.

Mr. Speaker, it had become clear that work and family balance had become an urgent issue for the people of Saskatchewan. The research of Saskatchewan's Balancing Work and Family initiative showed that the majority of employees reported a significant amount of fatigue and stress in trying to balance work and family. Employees had too many responsibilities between their work and their family lives to the detriment of employees, employers, and to the economy of Saskatchewan as a whole.

Mr. Speaker, stress contributes greatly to a person's physical health. Unhealthy workers are more likely to be injured at work, more likely to be absent from their jobs, and less likely to remain in one workplace for any length of time.

This government has been a leader of those jurisdictions, attempting to address this issue as it has with so many issues affecting workers in recent history. As in the legacy of this government, we identified a need of working people and acted to address that need.

Mr. Speaker, since 1993 harassment has largely been limited to such prohibitive grounds as have been specified in the Human Rights Code. In today's world, such a narrow definition is not enough. The proposed changes to The Occupational Health and Safety Act include a more encompassing definition of harassment. The new definition will now state that:

'harassment' means any inappropriate conduct, comment, display, action or gesture by a person:

that either:

is based on race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place or origin; or [that]

... adversely affects the worker's psychological or physical well-being, and that the person knows or ought reasonably to know would cause a worker to be humiliated or intimidated; and

that constitutes a threat to the health or safety of the worker". . .

Mr. Speaker, the changes to the definition of harassment reflect the manner in which harassment in the workplace has changed over the years. Since anti-harassment legislation was introduced

by The Occupational Health and Safety Act in 1993, developments in the effective use of workplace occupational health and safety committees and in public awareness and education have done much to limit the possibilities of harassment.

But, Mr. Speaker, legislating is a process. Workplace harassment has become much less overt, and thus defining harassment as potentially psychological under the Act is absolutely necessary. This is a bona fide form of harassment. Mr. Speaker, psychological harassment does not only adversely affect a worker's emotional well-being. The stress of these situations can affect a worker's physical well-being and personal relationships with family and friends as well as causing absenteeism, lack of productivity, and potentially a poisonous workplace environment.

The creation of a special adjudicator position will ensure that there is a high level of expertise provided when an appeal of the decision of an occupational health officer is launched. It also ensures that the decision rendered from a hearing by the special adjudicator will be dealt with in a timely manner. The amendment clearly prescribes a one-year timeline. Mr. Speaker, this allows workplaces to begin the healing process that usually takes place after a sensitive matter such as workplace harassment has occurred. Third party assistance is crucial to any sense of closure.

Mr. Speaker, the opposition Sask Party could not possibly be expected to recognize issues of occupational health or workplace safety. After all, doing so would require them to see past their failed ideological obstinacy. No, Mr. Speaker, those members, like the member for Indian Head-Milestone, are too busy desperately clinging to the belief that quote, "fair labour policy is letting the market take care of itself." Apparently to that party, some intangible, invisible force of magic will protect workers.

Unlike the member for Kelvington-Wadena, this NDP government does not believe that enshrining protections for workers in law is simply quote, "telling businesses what to do." We believe that it is crucial for workers to have legal recourse when their safety is for any reason compromised.

Mr. Speaker, this NDP government believes in progress. We believe that legislating is a continuing process of renewal. Labour legislation must continually be revisited. If not, it becomes irrelevant and ineffective. Workers then become vulnerable.

Unfortunately, Mr. Speaker, if you listen to the Sask Party rhetoric, you might become convinced that legislating is simple. To that party, a legislator's only responsibility is to abolish as much regulation as possible without any consideration of the consequences, and then to dole out arbitrary decisions to problems on a case-by-case basis. To that party, labour legislation protections for vulnerable workers is simply an impediment to business.

Mr. Speaker, the Sask Party's own members have made these sort of claims continually. The member for Kelvington-Wadena once said that, quote:

You don't have to put forward every rule and regulation, because employers know that if you don't look after your employees, they're not going to be there. They won't want to come to work. They like their employees. You don't have to trust government to tell them what to do.

Mr. Speaker, that member suggested that labour legislation is unnecessary because things will magically take care of themselves. The Leader of the Opposition himself, presumable as part of his war on labour, has even said, quote:

... red tape and regulations that have been foisted onto business community by this government, be it through Workers' Comp or occupational health and safety or various pieces of labour legislation, too often has driven businesses and the jobs they create and the taxes they pay out of the province ...

Occupational health and safety, red tape and regulation, Mr. Speaker — the Sask Party cannot see the bigger picture. Labour legislation is vital to meeting the needs of Saskatchewan people. This NDP government believes that the health and safety of the people of Saskatchewan must not be left to the regulation of magical, unseen forces.

For the Sask Party, governing is simple. You simply tear down regulations and do nothing, at least until it's politically advantageous to sensationalize specific issues. The Sask Party may not believe in regulations protecting workers, but that hasn't stopped them from focusing one specific instance of workplace harassment for the entire session.

Because the Sask Party cannot develop policy of its own — a result of an ideological opposition to progress — its members have been forced to beleague a single issue for the entire session. The Murdoch Carriere case is certainly tragic for the victims, Mr. Speaker, but the Sask Party has only criticism of this single issue as their contribution to this legislature — no policy alternatives, no recommendations, no progress.

[11:30]

Mr. Speaker, that party has only to champion abused workers, the same workers that they believe should not be protected by harassment legislation, as a means of getting its hands on the public purse. The Sask Party has even called for an inquiry, which is potentially undesirable for some of the complainants in the Carriere case and will do nothing to provide assurance to the women involved that they will be protected from workplace harassment through intimidation or humiliation in the future.

However, recognition and the facilitation of protections through substantive legislative changes as this NDP government has done shows true compassion, understanding, and leadership.

Mr. Speaker, we will clearly define what is not to be considered tolerable behaviour in the workplace. Harassment is a complex issue. Consequently personal reactions to harassment and the potential resolve of any individual worker can be extremely diverse in nature. The nuances of each individual situation, as well as the individual's own personal life experiences, contribute greatly to how harassment affects a worker. There is no one-size-fits-all solution, Mr. Speaker, therefore future

amendments will no doubt be necessary as the mindset of society changes.

To illustrate this I would like to use the example of smoking. Smoking was once common practice in any restaurant, bar, home, or office. It was once tolerated universally, but after years of research and study, people began to realize that smoking is harmful. Jurisdictions began to regulate smoking. Those regulations have gotten progressively more stringent as society has progressed towards an intolerance of the once popular pastime. Effective administrations adapted legislation. They progressed as with the will of society.

Mr. Speaker, this NDP government believes in progress. It believes in maintaining strong labour legislation to protect the people of Saskatchewan. And for this reason I will proudly move a motion, seconded by the member for Saskatoon Centre, that reads:

That this Assembly supports the government's plan to strengthen protection in the area of occupational health and safety for workers both in government and in the private sector.

Thank you, Mr. Speaker.

Some Hon. Members: — Hear, hear!

The Speaker: — I would ask that the clocks be stopped at this time, that we'll proceed with this debate after we receive Royal Assent. His Honour is here for Royal Assent.

ROYAL ASSENT

[At 11:35 His Honour the Lieutenant Governor entered the Chamber, took his seat upon the throne, and gave Royal Assent to the following Bills.]

His Honour: — Pray be seated.

The Speaker: — May it please Your Honour, this Legislative Assembly in its present session has passed several Bills which in the name of the Assembly I present to Your Honour and to which Bills I respectfully request Your Honour's assent.

Clerk: — Your Honour, the Bills are as follows:

- Bill No. 3 - The Fuel Tax Accountability Act
- Bill No. 15 - The Municipal Financing Corporation Amendment Act, 2006
- Bill No. 14 - The Environmental Management and Protection Amendment Act, 2006
- Bill No. 6 - The Youth Drug Detoxification and Stabilization Amendment Act, 2006
- Bill No. 39 - The Tobacco Damages and Health Care Costs Recovery Act
- Bill No. 54 - The Labour Standards Amendment Act, 2007
- Bill No. 302 - The Hotels Association of Saskatchewan Amendment Act

His Honour: — In Her Majesty's name, I assent to these Bills.

The Speaker: — May it please Your Honour, this Legislative

Assembly has voted the supplies required to enable the government to defray the expenses of the public service.

In the name of the Assembly I present to Your Honour:

Bill No. 67 - The Appropriation Act, 2007 (No. 2)

to which I respectfully request Your Honour's assent.

His Honour: — In her Majesty's name, I thank the Legislative Assembly, accept their benevolence, and assent to this Bill.

[His Honour retired from the Chamber at 11:38.]

SEVENTY-FIVE MINUTE DEBATE

Occupational Health and Safety for Workers (continued)

The Speaker: — Please be seated. Order. Order. It has been moved by the member for Regina Walsh Acres and seconded by the member for Saskatoon Centre:

That this Assembly support the government's plan to strengthen protection in the area of occupational health and safety for workers both in government and in the private sector.

We will continue with the debate. The Chair recognizes the member for Saskatoon Centre.

Hon. Mr. Forbes: — Thank you very much, Mr. Speaker. It's my pleasure to enter into this debate today in support of this motion because I believe that this motion speaks to some very fundamental differences between this NDP government and the conservative beliefs of the opposition. But before I get there, Mr. Speaker, I'd like to talk about some of the very positive work that is happening in Saskatchewan today to reduce workplace injuries.

As I think all members of this Assembly know, and my colleague said, Saskatchewan led North America when the NDP government of the day introduced the first comprehensive occupational health and safety legislation some 35 years ago.

Now what are some concrete examples of this? Well, Mr. Speaker, I am very proud to talk about one that we think all of us can remember — just over a year ago, the fire at Esterhazy at the Mosaic mine, one of our moments where our occupational health and safety regulations really proved their worth — where 72 potash miners were trapped underground. And thanks to our progressive and aggressive approach to mine safety and the strong regulations which we implemented in 2003 and thanks to the dedication and skill of the mine rescue workers, lives were saved, families remained whole, and no one was left mourning for a loved one. This was very important.

Well, Mr. Speaker, we've been talking a lot recently in this Assembly about the anti-harassment provisions that the NDP government introduced into the occupational health and safety legislation in 1993. And as recently as Monday, this NDP government introduced amendments that would strengthen the protections of that part of the OHS [occupational health and

safety] legislation. We have been a leader in developing occupational health and safety legislation that protects workers, and that's something this government is very proud of.

Of course to have healthy and safe workplaces in the province it takes more than legislation. Employers and employees must work together with government to make sure that people understand the legislation and that it's enforced. In 2003 this government developed and implemented the action plan for healthy and safe workplaces. The plan was designed to do five things: help workplaces take responsibility for workplace health and safety, provide education and enforcement of workplace standards, provide technical support and applied research on health and safety issues, protect new and young workers, and increase public awareness of the need for workplace health and safety.

Together with the work of Saskatchewan WCB [Workers' Compensation Board] and the WorkSafe program, the action plan for healthy and safe workplaces has reduced the provincial injury rate by some 18 per cent. Now, Mr. Speaker, that 18 per cent is a huge number when you think of the hardship, not only financial but emotional, that injuries place on working people. It means less stress on Saskatchewan families, and it means less cost to the employers.

Well phase 2 of the action plan aims to reduce the time loss injury rate by an additional 13.5 per cent. And I can't emphasize enough how important that is to the working people of this province.

Now part of this reduction in injury rates can be accomplished through education. The WorkSafe Saskatchewan program run by WCB has developed educational materials and partnered with private and public groups to improve knowledge of safe and healthy practices. The ready for work program has supplied curriculum to educate middle-year students, both on- and off-reserve, on the importance of workplace safety.

And of course, Mr. Speaker, the occupational health and safety division of the Department of Labour continues their educational programs and awareness work. This includes support for the 4,800 existing workplace occupational health and safety committees and training for 4,500 employers and worker representatives on the responsibilities of occupational health committees, occupational health and safety representatives, and supervisors.

Now these are important parts of the action plan, but it would be a wasted effort without enforcement. That's why the occupational health and safety division will conduct this year approximately 4,500 workplace inspections. Mr. Speaker, this is important. They will also issue more notices of contravention to ensure that standards are met and will prosecute serious offenders and repeat offenders for non-compliance with health and safety standards.

Mr. Speaker, this increased enforcement of The Occupational Health and Safety Act will be conducted by the new, dedicated prosecutors at the department. Since the dedicated prosecutor was assigned to OHS and WCB cases in 2004, over 40 prosecutions for occupational health and safety and workers' comp offences have been undertaken.

Now, Mr. Speaker, these measures are very important to ensure that labour standards such as occupational health and safety regulations and laws are followed. These standards are law. And this government believes that it's not okay to gamble with the lives of workers by relying on voluntary compliance or other laissez-faire, ad hoc measures.

Another crucial part of making workplaces in this province safer is to regularly review the standards, regulations, and best practices that we have established to ensure that they are adequately meeting the needs of the modern workplace.

Now because occupational health and safety legislation covers many diverse industries, understanding the technical nature of the regulations and the implications changes may have is a difficult task. We have at the Department of Labour a group of extremely talented individuals who have a specific knowledge of extremely broad range of technical information. Their expertise covers everything from ergonomics to mining engineering, and they are essential to the application of occupational health and safety and to the review process.

Mr. Speaker, this province also has an Occupational Health and Safety Council made up of equal representatives from the business and labour communities. They too review our occupational health and safety legislation and make recommendations to the government on how to make our regulations more appropriate and effective for our current economy.

[11:45]

In their most recent report they identified specific sectors such as health and construction with higher injury rates that could be reduced with improvements to the current occupational health and safety regulations. To that end, Mr. Speaker, we are working to address overexertion and lifting-related injuries, which continue to be a major cause of time-loss injuries in the provincial health care sector. We are creating new regulations to improve lifting requirements and to require regular maintenance to the lifting equipment. As well, Mr. Speaker, we will require supervisors to be trained in sector-specific OHS best practices.

Mr. Speaker, we are also addressing the high number of fall-related injuries in the construction sector, again through a combination of improved regulations and education. Now, Mr. Speaker, fall-related injuries account for a disproportionate number of injuries in this construction sector. New methods such as fall protection plans, control zones, and the required use of anchor points and anchor plates will reduce the number and severity of fall-related injuries — and particularly of fatalities.

Mr. Speaker, on the average in the last five years, we've had three deaths each year. This past year it was two deaths. Mr. Speaker, what I have outlined so far is just some of the many things that this government is doing to make workplaces safer in this province. But at the beginning of my remarks I stated that this motion speaks to the heart of the differences between this NDP government and the members opposite. And I'm going to endeavour to explain what that means.

All working people deserve to have healthy and safe workplaces. Mr. Speaker, that's a statement that I think few

people could disagree with. The question is, as a province, how do you make that happen? Well I contend that the Saskatchewan Party feels it's enough just to make the statement. But to do anything beyond making the statement would be, as the Leader of the Opposition has stated, red tape that "... too often has driven businesses ... out of the province of Saskatchewan." He said that on June 20, 2000.

In fact when the Leader of the Opposition made that statement, he was specifically talking about workers' compensation and occupational health and safety, two things he believes are nothing more than "red tape ... [that's] foisted onto business community."

Mr. Speaker, our government feels different. We believe that it's not enough to make the statement that working people in Saskatchewan deserve safe workplaces. We feel strongly that you have to back those words up with action, with legislation and regulation that gives workers the right to refuse unsafe work, the right to challenge a policy or practice they feel to be dangerous, and with a way for these kind of disputes to be adjudicated fairly for both the employer and employee.

Mr. Speaker, that's why I will be supporting the motion put forward by my colleague ...

The Speaker: — The member's time has elapsed.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Last Mountain-Touchwood.

Mr. Hart: — Thank you, Mr. Speaker. Mr. Speaker, I'm certainly pleased to be able to enter into this debate and speak to the motion put forward by the member from Regina Walsh Acres, Mr. Speaker. This is certainly an important issue that needs to be dealt with, Mr. Speaker, and we certainly take these issues very seriously even though we've listened to the two speakers on the government side who try to play politics with this important issue, Mr. Speaker.

I listened carefully to the member from Walsh Acres, Mr. Speaker, and she said that this is an important issue, and that it is. I would certainly agree with that. And then she went on to play cheap political politics, Mr. Speaker, referring over and over again to all the great things that this NDP government has done and previous NDP governments have done and made a number of unfounded statements about the Saskatchewan Party's position on issues like this, Mr. Speaker.

The question I would ask, if it's such an important issue, let's debate the issue, Mr. Speaker, and let's keep the politics out of it as much as possible, Mr. Speaker. I certainly didn't hear that, particularly from the first speaker, and I think we need to do that.

Now I listened carefully to what the Minister of Labour said. He certainly had some very good points that we don't find fault with, but he also presented some facts, Mr. Speaker, that perhaps need some expanding as to where Saskatchewan is as far as workplace safety.

Certainly there has been improvements, Mr. Speaker, but there needs to be improvements. Saskatchewan in 2002 had time-loss injuries of 4.9 injuries per 100 workers, the second highest — that was back in 2002 — and that was the second highest in Canada. Certainly there's been improvements as the minister said, an 18 per cent decrease, but how do we stack up with other provinces?

Well we're down to 4.05 workplace injuries per 100 workers, but we're still the second highest in Canada, Mr. Speaker. So other jurisdictions — and they're not all governed by NDP governments, Mr. Speaker — are making significant progress on this very important issue. And we need to do better, Mr. Speaker. It's one thing to talk the talk as this government often does — and particularly on this issue and other issues like the environment — but the true test is, are they willing to walk the walk? And I think, Mr. Speaker, by any fair analysis in some of these cases, and even on this case, Mr. Speaker, I think they come up short, Mr. Speaker.

Another issue which is maybe not directly related to occupational health and safety, but I'm sure it does lead to stress in the workplace, and that's this whole issue of the way workers working side by side are paid, in northern Saskatchewan. We have this situation that's been in place for many, many years where people living in the North are exempted from overtime. They are not entitled to overtime. Yet if workers living in the South are working in the North, working side by side with a northern person, doing exactly the same job, one worker is paid overtime; the other worker is not paid overtime, Mr. Speaker. Do you think that may cause a little bit of stress in the workplace? I would think it does, Mr. Speaker.

The Premier asked the member from Regina Northeast to do a study on this issue and submit a report. That was done. The member submitted his report to the Premier back in February. We have heard nothing. I asked the Minister of Labour, what's happening with this report? He basically says that he doesn't know. I suspect that that report is on the Premier's desk, and obviously there's an issue in that report that these people have some difficulty with. So rather than actually addressing the issue, they choose not to deal with it, Mr. Speaker. Yet they stand in the legislature and they purport to be the protectors of the working men and women of this province. And in many cases, Mr. Speaker, it's simply all talk and not much action, Mr. Speaker.

They vilify the employers as those terrible people who create these unsafe working conditions in this province. And, Mr. Speaker, there may be the odd exception to unsafe workplaces, but the majority of employers — many, the vast majority of employers — have said the most valuable asset that they have in their businesses are their employees, and they are very concerned about the well-being of their employees. And they are very concerned about safety and safe working and harassment-free workplaces, Mr. Speaker.

Mr. Speaker, some of the actions that the Minister of Labour mentioned are certainly, as I'd said earlier, laudable goals. We certainly fully support a number of these measures, including educating both the employers and the employees about safety in the workplace. And that I think, Mr. Speaker, is certainly key. Because you can have the strongest regulations, you can have

the best practices as far as safety in the workplace, but if people fully don't understand them, are not engaged — whether it's the employer or the employee — accidents do happen, Mr. Speaker.

And I have had a number of people, both employees and employers, talk to me about things that happen in the workplace, as far as safety and practices that could be put in place to prevent them. And from my observation, understanding and compliance and education is very important on this issue, Mr. Speaker.

We must make sure that the individual understands that they are responsible for their safety, and if they see shortcomings in the workplace, they have a responsibility to bring that to the attention of those people responsible for safe working conditions. We must also not create an environment, Mr. Speaker, where people feel that they are invincible and that no matter what happens they will not be injured, because that creates an unsafe mindset, Mr. Speaker.

I think back to an example that was related to me where the employer and the safety committee had all the measures in place to make sure that individuals, when they were required as part of their duties to climb ladders and work at higher distances above the ground, the safety harnesses were in place. Everything was there that was needed, except that the individuals and in one particular case, the individual worker, would consistently not comply with the established safety rules of the safety committee. And the employer was at his wits' end as to what to do with this individual. He brought him into the office and explained that all these things are for their well-being. And yet that individual would not comply. So the employer had no alternative but to release that individual.

Now this is certainly an exception, I'm sure, because I would think that most employees are very conscious of their safety and avail themselves of measures that are put in place, Mr. Speaker.

But that goes back to my comments about education. We need to make sure that both the employees and the employers understand why regulations and rules are put in place. And I think if we take that approach, Mr. Speaker, rather than the heavy-handedness of having regulations in place and saying, this is the way it's going to be done, without ever explaining why it needs to be done this way, Mr. Speaker, I think we would be much more successful. And we would be much more successful in lowering the injury rates that we have in this province, Mr. Speaker.

One of the other things, one of the reasons our injury workplace is as high as it is, is because of the large amount of injuries in the health care sector. And that's a result, Mr. Speaker, of a shortage of health care workers, who are workers working overtime, they're tired, and yet they need to be there because they're very dedicated to provide the services that are required. And, Mr. Speaker, when people are working long hours and are fatigued, Mr. Speaker, it's a recipe for injuries. And we've seen that happen.

We've had the union of nurses talk to this government and ask them to increase training spots so that we have an adequate supply of health care workers. And what has this government

done? They've made some feeble attempts in the last few years to address this issue, Mr. Speaker, and to date we don't have the people we need. Thank you, Mr. Speaker.

The Speaker: — The Chair recognizes the member for Saskatoon Nutana.

Hon. Ms. Atkinson: — Mr. Speaker, this is the time of year when we consider the health and safety of workers across the province. And personal and psychological harassment remains a serious issue in workplaces across the country and indeed across the globe. Bullying and abuse of authority can seriously impact workers' well-being and health as well as their general productivity.

Personal and psychological harassment in the workplace has been studied by the World Health Organization — and that's the World Health Organization, Mr. Speaker. Issues of anxiety, depression, and stress are fundamentally issues of health, which is why it's important to protect workers through stronger OH&S [occupational health and safety] legislation.

It is not just important in terms of the health of the individual, but the social and economic costs are also significant. From the perspective of business, personal and psychological harassment can lead to increased staff turnover, the loss of skilled and qualified staff; increased costs concerning absenteeism, sick leave, and insurance premiums; as well as costs associated with litigation and damage to the firm's image and reputation.

Both the WHO [World Health Organization] and other organizations recognize that there are also significant macroeconomic costs. And the costs associated with stress and depression in terms of decreases in productivity and the gross domestic product are alarming. We must as legislators respond to these trends.

[12:00]

Preventing and responding to psychological harassment in the workplace has recently become the focus of parliamentarians in the EU [European Union] and in other Canadian jurisdictions. The issue is also before several US [United States] states. And it's clear that this is an issue of increasing importance to workers and employers in our province.

As my colleague, the Minister of Labour, has noted, the current OH&S legislation does not capture many of the complaints and issues put forth by workers in our province. In today's changing work environments, the current prohibitive grounds in the OH&S legislation do not go far enough and this is why we're expanding the definition of harassment to better protect the workplaces and the workers of our province.

In order to better address their concerns and to improve working conditions for Saskatchewan people, both in the private and public sector, changes to the legislation are necessary. We're focusing our approach to improving workplace health and safety across Saskatchewan. And one of these measures is the item before us today — an expanded definition of harassment and the OH&S legislation that will address personal harassment in the workplace, such as abuse of power and bullying.

We will also be making changes to the Public Service anti-harassment policy and we will be developing a new model for delivering HR [human resources] services across government to ensure that all complaints of occupational health and safety complaints, including workplace harassment, are addressed seriously and appropriately.

Mr. Speaker, we know that the Saskatchewan Party has not historically supported occupational health and safety legislation in our province. We know that they've not seen it as a way to protect business, but they have seen it as an impediment to business.

The Leader of the Saskatchewan Party called OH&S legislation red tape and regulations that have been hoisted upon the business community, and it has too often driven businesses and the jobs they create and the taxes they pay out of the province of Saskatchewan.

Well, Mr. Speaker, our government simply disagrees. We understand that when workers are protected from workplace harassment they are healthier and more productive. We've structured the legislation so that managers and supervisors remain well equipped to manage their workplaces and that businesses are not unduly restricted. We're committed to continuing our tradition of progressive legislation to ensure that workers and workplaces across Saskatchewan are protected and safe.

Mr. Speaker, the introduction of the OH&S amendment Bill is only one part of our strategy in providing safe, healthy and respectful workplaces. As you know, Mr. Speaker, the government is a larger employer and we believe that we need to ensure that we work diligently to provide healthy workplaces in our province across the public service. The announcement that my colleague, the Minister of Labour, and I made earlier this week addresses that goal. However in order to provide context it is necessary to highlight the changes that arose during the 2003 review of the Public Service's anti-harassment policy. And in response to that review the Public Service Commission changed the harassment policy in several significant ways — including, it clarified, that zero tolerance to harassment meant that no incident of harassment would go unaddressed.

Second, it said that in serious cases of harassment there is a presumption that the appropriate penalty is dismissal. Absent specific factors, the harasser will be dismissed.

And third, Mr. Speaker, the final decision is still made by the permanent head, but the discretion is checked by the implementation of the panel of deputies which will provide support in serious cases of confirmed harassment.

And fourth, it improved the process for complainants. The permanent head would discuss the impact of the discipline with the complainant and provide them with, on a confidential basis, the results of his or her decision. Because as we know in the Mr. Carriere case, the complainants were not advised by the deputy minister of the day the outcome of the discipline, Mr. Speaker.

And fifth, it called for further education on the policy so that all employees and management were aware of its contents. It

clarified that managers who ignore complaints would be subject to discipline.

And, Mr. Speaker, there are other improvements that were made, but we recognize that we can do even better. And that is why I, on behalf of our government, instructed the Public Service Commission to make further improvements to our anti-harassment document, Mr. Speaker, which people can find on the Public Service Commission website.

I instructed the Public Service Commission to simplify the language of the policy because, Mr. Speaker, it's important that people who are looking at the policy can understand the policy. And one of the ways to understand policy is to have simple and clear language.

Mr. Speaker, we also said that the format of the policy needed to be laid out in a clear manner so that people could go through the steps that were required, which would obviously increase accessibility to launching a complaint under the policy.

Secondly, Mr. Speaker, I've also sought on behalf of the government to increase accountability and we believe that this can be achieved by designating a senior manager in each government department as the individual responsible for the anti-harassment policy. A manager in each department will ensure that the policy is being followed, Mr. Speaker, and this will be done while maintaining the flexibility and options available to complainants. Because as you know, at the moment, complainants have a number of avenues to pursue if they wish to launch a complaint of harassment.

They have the option to speak directly to their supervisor. If they're not comfortable with that, they can speak directly to the manager in charge of the supervisor. They can go to the Public Service Commission. They certainly, if they're an in-scope employee, can go to the Saskatchewan Government Employees' Union which has . . . in the Mr. Carriere case was involved in the complainants' issues. As well, they have the opportunity to go to the OH&S branch in the Department of Labour which is, in law, struck with the investigation of occupational health and safety complaints including complaints under the present definition of harassment. As well, people can go to the Human Rights Commission if they believe that they have been harassed on the prohibited grounds. And in the most serious of cases, Mr. Speaker, people can go to the police.

As well, I announced that there would be a consolidation of HR services and that certainly we want to ensure that managers and staff have access to sufficient HR support. At present, Mr. Speaker, various government departments have their own HR staff. We have the Public Service Commission which is a central agency and we believe that we need to ensure that all HR policies are being followed throughout the Public Service. And in order for us to do that, we want to look at how we can consolidate HR support and services in such a way that policies are certainly implemented in our various workplaces across the province and that those policies are applied consistently and effectively, Mr. Speaker.

So, Mr. Speaker, we believe that we have responded in a responsible way to issues around workplace harassment in the province of Saskatchewan. We have introduced legislation to

amend the present definition which is based on prohibitive grounds that are found in the Human Rights Code. We are looking at consolidating all HR resources across the Public Service. And we are renewing our present anti-harassment policy in order to ensure that it's streamlined, it's simple to read, and that we have certainly put a person in charge in each department to ensure that there is accountability and responsibility.

The Speaker: — The Chair recognizes the member for Martensville.

Ms. Heppner: — Thank you, Mr. Speaker. I'd like to begin my remarks today by saying that the official opposition agrees with the NDP that we should all be working to protect workers in Saskatchewan. I would hope at the end of the debate today that the NDP will take the words of their motion to heart, and that it will translate into action.

We have seen, through the evidence in the Murdoch Carriere scandal, that this NDP government does not have a great track record in regard to protecting workers. And the NDP have alluded to it again today that they are all done talking about Murdoch Carriere, and I don't blame them. I wouldn't want to be talking about him anymore either if I had their track record.

There are many ways that we can be protecting workers — from the requirement for basic personal safety equipment like hard hats on job sites, to safe buildings and work environments. But safety for workers must also include a harassment-free workplace. And for Carriere's nine victims, this NDP government failed miserably on that front. So as I have said, we should all be working to guarantee a safe workplace. But this NDP government has to do more than introduce legislation and have debates in this Chamber.

And the member for Regina Walsh Acres alluded earlier to the fact that workers might magically be protected. Well, Mr. Speaker, we don't believe in magic to protect workers. What we believe in is a government taking their responsibility, stepping up and defending workers in the workplace.

Some Hon. Members: — Hear, hear!

Ms. Heppner: — That same member said that we have offered no alternatives in this debate, and our suggestion has been, continues to be, and will be in the future, that this NDP government should have defended and protected Murdoch Carriere's victims. The NDP must translate their words and rhetoric into action, and that's not something that we've seen from them. I'm sure that Carriere's victims would have loved to have been able to go to work in a safe environment, but sadly that was not the reality for those nine women.

The Public Service Commission's 2007-08 performance report on the PSC [Public Service Commission] website is introduced with this statement, and I quote:

The Government of Saskatchewan is committed to ensuring that we have a capable, diverse, and talented public service working in a healthy, supportive, and challenging work environment.

And, Mr. Speaker, we applaud these words and hope that they are true for the many capable men and women who are working in our public service today. The government says in that statement that they are hoping to offer a challenging workplace.

That couldn't have been more true for Carriere's nine victims, Mr. Speaker. For them, work was a challenge. It was a challenge for these women to go into an office every day knowing that at any time Carriere could corner them and grope them and kiss them without any fear of reprisal. It was a challenge for them to go home only to have Carriere show up on their doorstep unannounced and uninvited.

It was a challenge for these nine women to be heard, even after numerous and repeated complaints to supervisors, who should have stepped up to protect them, did not. It was a challenge for them, Mr. Speaker, to be brushed aside by the Premier of this province when they wrote to him to alert him to the danger that Carriere posed to women in the workplace. It was a challenge for them to see this NDP government cave in even after the former NDP Justice minister vowed to defend this vigorously in the courts. And it remains a challenge for them, Mr. Speaker, to continue to live with the horrible memories of the abuse that they suffered at the hands of Murdoch Carriere. Yes, Mr. Speaker, for Carriere's nine victims, they did indeed face a challenging workplace.

On the Public Service Commission website, information is offered to workers about how to achieve a safe workplace and the role of supervisors and managers in that workplace. The public service has issued a brochure about harassment in the workplace. It states, and I quote:

As an employer, the Government of Saskatchewan values the dignity of all . . . [workers] and is committed to providing a respectful workplace, one that is harassment-free and in which all individuals are treated with respect. All managers, supervisors, and employees are expected to help create and maintain a work environment that is respectful of all persons in it.

Mr. Speaker, after the inaction of this NDP government in the Murdoch Carriere scandal, I'm not sure that his nine victims feel that their dignity was valued, much less defended.

The Department of Labour's website lists a variety of safety issues and safety bulletins on how to address these issues. It also talks about harassment in the workplace as a safety issue. In a sample harassment policy document it states, and I quote:

Worker right

Every worker is entitled to a working environment that is free of harassment.

It goes on to say:

Employer obligation

This employer will ensure that no worker is subjected to harassment at this place of employment.

And it continues with worker's obligation:

No worker shall cause or participate in the harassment of another worker.

Mr. Speaker, these statements are correct. No one should be subject to the harassment that Murdoch Carriere victims faced. And the employer should ensure that a harassment-free workplace exists. But these words were not translated into action for Carriere's victims.

We need to commend these nine women, Mr. Speaker. In the face of the adversity and after being ignored by those in places of power who should have been helping them, they continued to be heard . . . They continued to fight to be heard. They did not back down and stay quiet. I'm sure that at times they wanted to, but they didn't. These women should be applauded for their strength and determination to be heard and to do what they could to ensure that what happened to them wouldn't happen to other women.

I only wish that same applause could be given to this NDP government, but sadly it cannot. They were not determined to stop this. They were not determined to defend these women as they promised. They were not determined until all of this came to light and it was suddenly politically embarrassing for them. Why did it take public humiliation and outrage for this government to act? Why could they have not done the right thing from the beginning and defend their decision to fire Carriere, and in the process defend these women as the former Justice minister promised to do? Murdoch Carriere's victims were left ignored and struggling to be heard for almost a decade.

And as I said yesterday, Mr. Speaker, this government failed to take action when Murdoch Carriere was harassing women in the workplace, but they want to be seen to be taking action today.

[12:15]

The NDP's motion today calls for protection of workers to ensure the safety in the workplace. Mr. Speaker, legislation, rules, policies, and procedures were all in place to ensure the safety of those nine women. We have said repeatedly in this Assembly that without the will to enforce these rules, they won't be worth the paper that they're written on.

Men and women deserve to feel safe at work, and for that reason sexual harassment is not to be tolerated in the workplace. And while we welcome the NDP government's new-found commitment to workplace safety and a harassment-free workplace, for Carriere's nine victims it comes too late.

Had the NDP taken action earlier, we might not be discussing this today. Had the Premier taken seriously the letter that was sent to him by one of Carriere's victims, we may not be discussing this today. And had supervisors, associate deputy ministers, and the deputy minister listened to these women in the first place as they are mandated to do through the policies already in place, we might not be discussing this today.

Rules already in place state quite clearly that supervisors that ignore sexual harassment in the workplace will face consequences. The NDP have repeatedly held up the legislation that they introduced in 1993 and amendments that they made in

years following. And that's great, Mr. Speaker.

But the sad reality is that none of this protected these nine women from Murdoch Carriere. Murdoch Carriere's victims were sexually harassed. And I will say again, Mr. Speaker, that legislation to stop those actions was in place at the time that the offences were being made, but Murdoch Carriere's victims were ignored. He was allowed to continue his harassment of these women for years.

And we all agree, Mr. Speaker, that workplaces should be safe for workers in Saskatchewan. Today's debate is actually not a debate at all because I think that we all agree on that point. We welcome any changes that will indeed make sure that workers are safe, free from danger, and harassment.

What we have been debating, Mr. Speaker, remains unresolved and that is to send this Murdoch Carriere scandal to a legislative committee for an investigation. I have said that without knowing what went wrong in the past, we can't fix it and make sure that we do it right going forward. But that is not a debate that this NDP government wishes to engage in. We continue to be concerned that the NDP refuse to answer direct, legitimate questions surrounding the failure to protect Murdoch Carriere's nine victims.

Mr. Speaker, we do support the statement that workplaces should be as safe as possible. We support steps being taken to ensure that safety. We hope, Mr. Speaker, that workers in Saskatchewan don't face what Carriere's victims endured. But if they do, we also hope that this NDP government would take all steps necessary to defend them. Thank you.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Saskatoon Fairview.

Mr. Iwanchuk: — Thank you, Mr. Speaker. I rise today to support the motion of our government strengthening the protection in the area of occupational health and safety for workers in the government and the private sector. Mr. Speaker, the NDP government has always been a leader in occupational health and safety, introducing the first occupational health and safety Act in North America some 35 years ago.

Mr. Speaker, there was never a more prouder time in recent history than with the . . . when it was thanks to our progressive approach that — and strong mine and safety regulations — that allowed for our miners in the potash mine in Esterhazy to emerge safely after having been trapped underground, Mr. Speaker. Mr. Speaker, it is because of things like that and our policies that the workers of this province, we have come to gain their support and trust over the years.

Mr. Speaker, many of my constituents come from working families. Most, as I go, whether . . . work in the mines. This is why this was so important, as I go door-to-door and speak to them about this, that they have personal knowledge of this — with them and their families. And they are grateful for this.

Mr. Speaker, the key, the key to most of legislation — whether that be under labour standards, The Trade Union Act, or

occupational health and safety — is based upon the equality of the worker and the workplace, or the employer at the workplace. Occupational health and safety committees, the concept where legislation allows workers to gather together — and that we have put in occupational health and safety committees which are on equal footing with equal numbers of members from the employer — and discuss issues of concern of safety at the workplace.

Mr. Speaker, this is one of the cornerstones of all labour legislation, the ability of workers who have fought over years and years to come and be able to bring, not only bring forward their concerns, but bring forward them in a forum where they need to be listened to and need to be acted upon. Mr. Speaker, I think that is a thing that is not recognized but that we adhere to and particularly the people, the working people of this province adhere to very strongly and are thankful for that kind of thing.

Mr. Speaker, also within the same kind of thing that is why our government has always been at the forefront of moving and working on safety. We recognize the issue of workers' rights. We recognize the workers' struggles, and we put out our hand as policy-makers to achieve better living conditions for them.

I know we hear oftentimes the members from there say that we are not concerned with employers. I also, as well as the member opposite, agree there are many, many excellent employers; excellent employers who understand and support the idea that workers are able to sit across from them at tables or in meeting rooms on an equal footing. And, Mr. Speaker, that kind of approach to, be it labour relations or the area of occupational health and safety should be commended, and in no way that every time that there is an improvement in, be it the occupational health and safety or any other labour legislation, that it should be seen as somehow condemning the workplace or other things. And I think once people understand that it is much easier.

And I think you would find in the workplaces where they do have this sort of basis where workers can bring their concerns forward and they are accepted and listened to by the employers, that those are the workplaces, Mr. Speaker, that move forward with not only issues of productivity but also issues of innovation and creativity. So I think those are the things that we long recognize and are at the basis of most of our labour legislation that we are so very proud of, Mr. Speaker.

Mr. Speaker, the changes that we are proposing for here were changes that we attempted before and have improved upon and always are working — whether it was in the early '90s to now — saying that we must now move ahead and look at areas where the workers are . . . whether there be some form of harassment, and we had put in sexual harassment, into here. And being that, Mr. Speaker, we've come to recognize that the methods of investigation in these areas also need improvement.

And to that we are addressing these areas with our proposed legislation and, Mr. Speaker, we are moving somewhat into new ground. But it is important that we recognize, that we recognize because of the unique situations that we confront, that we have to have unique solutions. And sometimes it challenges everyone, be it at the workplace or us as policy-makers to address those concerns, because they are the needs of people.

And I think as basis in our human rights Act as well that we understand that it is here to protect the dignity of the individuals in our province. And to that, Mr. Speaker, our government has always been at the forefront of that, and we will continue to do so and have everyone else in the country look to us for that kind of leadership.

Mr. Speaker, I spoke about the basis of people meeting. I think one of the things that I would like to re-stress and be that in The Trade Union Act where . . . parts of The Trade Union Act where employers are required, or be they employees, are required to meet a basic, sort of tenet of that we have put into any number of Acts that we have passed.

And I think as we look at that that I have found in my years, former years, where I was a negotiator with the Canadian Union of Public Employees that one of the biggest . . . The things that I took away from there prior to coming and being elected here was that the concept that employees upon request or employers could meet with each other and bring that together. Because, Mr. Speaker, historically that has not been the case and has created, I believe, problems. And so understanding that, that when you put in legislation to have the right to meet and to express your concerns is at, Mr. Speaker, the very base of what we are doing.

Mr. Speaker, the protection of workers be that on a day-to-day basis is important. And not only with that but we need education of workers whereby they can come to understand . . . Because many of the things . . . For example, Mr. Speaker, in water treatment plants many of the chemicals that we use now or many of the things in terms of that we have found, whether it be water or whatever, are new.

And we are always evolving and doing that. And I also think that our department . . . occupational health and safety has been at the forefront in those areas in terms of investigations and leading the charge in there.

And I would then say that it was because of those kind of efforts by our departments and by this government that we are addressing today an issue of harassment. And, Mr. Speaker, it takes a certain amount of understanding — an understanding that is gained over a number of years — to deal with these issues.

But I for one am very glad that we're moving in this area. I believe it is time, and we are ready. And I believe the people of Saskatchewan are ready and waiting to hear from us on what we will do. And I think at the end of the day as always, we will be . . . And history will judge us that we did the right thing. Mr. Speaker, we did the right thing in this area. And we will be again followed by many jurisdictions across this country.

In my final comments, Mr. Speaker, I would just simply say that whether it be this . . . and maybe I should just mention that, I think, as I discussed it within my constituency, the comments I did hear back were very encouraging that we are moving here, that they had, that the folks had said for a long time this is long overdue and they had been waiting for it.

But, Mr. Speaker, legislation, I have found, you should be careful and considering all of the things, but we do have, I

believe, we do have the knowledge now. I think we are moving in the right direction.

And I would hope that the party across would support this and that we could go forward together. Because too many times, Mr. Speaker, I think it is probably lack of understanding — because I would not like to say that they are not concerned about safety — but a lack of understanding and just a reaction to anything that might be, you know, progressive or, I guess in some words, a union or something involved in that. I get that kind of a feeling after being here a while, Mr. Speaker, but I would hope that they would be able to rise above that sort of thing and move on. And I thank you, Mr. . . .

The Speaker: — The member's time has elapsed. The Chair recognizes the member for Moosomin.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, it's a pleasure to enter into this debate — even though just for a few moments — but to acknowledge the fact, Mr. Speaker, that for a number of months now Her Majesty's Loyal Opposition has been raising some real issues regarding harassment in the workplace and this government's failure to address a number of the issues.

In fact, Mr. Speaker, what's really interesting is to note the motion before us today and the fact that the government appears . . . or would be making it appear that they've been now coming forward with some new ideas. But we know, Mr. Speaker, that there have been some very legitimate processes to follow, and it's unfortunate that the government over the past number of years hasn't taken the appropriate process of dealing with the issues.

The Speaker: — I wish to advise members that 65 minutes of the 75-minute debate is now elapsed. We will now proceed to the question period — one minute for question, max; one minute for a response, max. The Chair recognizes the member for Last Mountain-Touchwood.

Mr. Hart: — Thank you, Mr. Speaker. Mr. Speaker, my question is to Minister of Labour, Mr. Speaker. The Minister of Labour earlier this week moved first reading of Bill 66, and we dealt with that yesterday in the House, Mr. Speaker. I have two questions actually for that minister, but I'll ask my first question and then we'll see if I get in for the second go-round.

But it seems to me, Mr. Speaker, that the amendments proposed by the minister may have been struck in haste in reaction to the Murdoch Carriere case. And the question that I would have for the minister is, how much consultation did he do prior, with both employees and employer groups, before moving that Bill forward?

The Speaker: — The Chair recognizes the member for Saskatoon Centre.

[12:30]

Hon. Mr. Forbes: — Thank you, Mr. Speaker. This question has been before the Occupational Health and Safety Council. They have spent time talking about this. This whole issue around workplace bullying, intimidation, is one that's been

talked about across Canada, around the world.

We've looked at the work that's being done in Quebec. Other provinces such as Manitoba, Ontario are looking at this. So we have a good sense of what people are talking about. And we are going to talk to labour and business through the council in the next few weeks. We've already got a meeting set up.

Mr. Speaker, may I have a question? Yes. Okay. Thank you. Well this is for the member from Last Mountain-Touchwood. And I just want to check to make sure I have this right. The Leader of the Opposition is very clear being on record about his feelings about labour. And he said:

. . . red tape and regulations that have been foisted onto the business community by this government, be it through Workers' Compensation or occupational health and safety or various pieces of labour legislation, too often has driven businesses and the jobs they create and the taxes they pay out of the province of Saskatchewan.

Now I would like to know, is this the official position of the opposition, the Saskatchewan Party, or is it just one of their 100 bright ideas?

The Speaker: — The Chair recognizes the member for Last Mountain-Touchwood.

Mr. Hart: — Thank you, Mr. Speaker. Mr. Speaker, at least we have ideas on this side of the House, and this . . .

Some Hon. Members: — Hear, hear!

Mr. Hart: — . . . and that government has adopted many of them, and the people of this province are much better off, Mr. Speaker.

Mr. Speaker, what we need in this province — and as exists in other provinces who are doing quite well and whose people have job opportunities and career opportunities, Mr. Speaker — is balance. And that's what this party is talking about is balance. We certainly support safe workplaces, harassment-free workplaces, Mr. Speaker, but what we need to do is have balance. And the position of that party, Mr. Speaker, is regulation and the heavy hand of government rather than consulting both with employees and employers, Mr. Speaker.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Last Mountain-Touchwood.

Mr. Hart: — It looks like it's a two-member show this afternoon, Mr. Speaker. Mr. Speaker, I would have a follow-up question to the Minister of Labour. Yesterday when I spoke to Bill 66, I recommended that we move the Bill to committee so that the committee could call witnesses so that we would hear from both employees and employers — the impact of the changes. We felt no need to impede the movement of this piece of legislation, but we feel it's of utmost importance that the public has an opportunity to make their opinions known. And so therefore, Mr. Speaker, I'd ask the Minister of Labour, will he ask the Economy Committee to hold public hearings on Bill 66?

The Speaker: — The Chair recognizes the member for Saskatoon Centre.

Hon. Mr. Forbes: — Well, Mr. Speaker, I have talked to the Chair of the Committee on the Economy about this discussion, so they'll follow up with that.

But I have a question here. And the member opposite likes to talk about balance. But when it comes to occupational health and safety, you are talking about peoples' lives. You are talking about injuries. This is a huge thing, and we know what the right things are to do. But when they're talking about balance, I have this quote from the member from Kelvington-Wadena who said:

You don't have to put forward every rule and regulation, because employers know . . . you don't [have to] look after your employees, they're not going to be there. They won't want to come to work. They like their employees. You don't have to trust government to tell them what to do.

Now is this their definition of balance when it comes to occupational health and safety regulations? I ask the member opposite from Last Mountain-Touchwood.

The Speaker: — Order please. It's getting to be difficult here to distinguish between the response and the question. I've taken that as the member's response. The member has used his time, and I recognize the member for Regina Walsh Acres.

Ms. Morin: — Thank you, Mr. Speaker. Mr. Speaker, we've heard a number of different distortions on the issue of the Carriere situation, and this question is for the member from Martensville.

I'm wondering will the members opposite apologize for claiming in this House that there was a gag order placed on these women when there was not and for claiming that the government was engaged in obstruction of justice for erasing a hard drive that was not erased. Or will they stand by those outrageous, factually incorrect, drive-by smear jobs? And how can we take anything seriously if they won't apologize?

The Speaker: — The Chair recognizes the member for Martensville.

Ms. Heppner: — Mr. Speaker, what we'll stand by, we'll stand by these nine women who were completely ignored by this NDP government.

Some Hon. Members: — Hear, hear!

Ms. Heppner: — They were harassed for years, and their complaints went completely unheard by this government. And considering that the NDP ignored them for all of those years and they fought for almost a decade to be heard, we will continue to stand by them, and we will defend them.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member from Moosomin.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, given the debate over harassment in the workplace and the government's response over the past number of weeks and the most recent changes to the occupational health and safety, I would ask the member from Regina Walsh Acres how those changes, if they were implemented, would actually have made the lives of the nine women who raised complaints of harassment over the past number of years, how it would have made their lives better today versus what their lives would have been had the government acted with the authority they already had under the original occupational health and safety arguments, Mr. Speaker.

The Speaker: — The Chair recognizes the member for Regina Walsh Acres.

Ms. Morin: — Mr. Speaker, the new wording in the legislation clearly outlines the issue of psychological harassment. Psychological harassment is outlined as well as the fact that anything that leads to intimidation or humiliation.

The opposition has been pointing out that apparently there was some sort of abuse of power in terms of the relationship between the people that they've gone to complain to and the minister responsible for that file at that time. So, Mr. Speaker, I am very convinced that the changes that we have now implemented in terms of The Occupational Health and Safety Act would have gone a long way to have addressed the situation that the Sask Party has brought forward in this Chamber. But clearly, they're double-speaking and won't support legislation that will effect that change to happen.

The Speaker: — The Chair recognizes the member for Saskatoon Nutana.

Hon. Ms. Atkinson: — Thank you, Mr. Speaker. I have a question to the member from Last Mountain, and the question is this . . . Touchwood lost mountain or whatever. My question is, my question is: does your caucus have an anti-harassment policy for the people that work in your caucus, or do . . .

The Speaker: — Order. Order. I ask that the question be directed through the Chair.

Hon. Ms. Atkinson: — Yes. I ask the member, does he as an individual MLA have an anti-harassment policy in his constituency office?

The Speaker: — The Chair recognizes the member for Last Mountain-Touchwood.

Mr. Hart: — Mr. Speaker, it's amazing what members opposite will do to deflect the attention to the harassment case of the Murdoch Carriere, Mr. Speaker. They had harassment in the workplace, and they knew about it for 10 years, Mr. Speaker . . .

The Speaker: — Order please. Order. Order please. Order. Member for . . . Order. Order now. Order please. Member for Last Mountain-Touchwood.

Mr. Hart: — Thank you, Mr. Speaker. Mr. Speaker, I recognize that the name of my constituency is quite long, and I certainly am pleased that some people in this House can get it

right, Mr. Speaker.

But getting back to the member's question, Mr. Speaker, they use every tactic they can think of to deflect attention from the real issue, the issue of a high-placed employee harassing nine women in the workplace that we know of, Mr. Speaker.

The Speaker: — Time has elapsed. Final question, the member for Indian Head-Milestone.

Mr. McMorris: — Thank you, Mr. Speaker. Mr. Speaker, in light of the huge human resources issue that we have, shortage in Saskatchewan in health care, how can they stand and talk about workplace safety when they've put nurses and doctors in the working situations that they've put them in? They're literally breaking the backs of nurses because of shortage of health care professionals.

When are they going to address the real issue of workplace safety, and that's employing the correct number of health care workers in order to not have the highest workers' compensation rates for health care workers injury rates, Mr. Speaker?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Saskatoon Centre.

Hon. Mr. Forbes: — Mr. Speaker, this clearly shows where the members opposite are at. We have regulations in front of us right now that will deal with this issue, but they want to talk about staffing and one place here — when we talk about nurses. What about other situations when we talk about firefighters? You can't have it both ways. We're talking about specific regulations that will meet the challenges that nurses and health care workers deal with in their workplace. Thank you.

The Speaker: — The time for the 75-minute debate has elapsed.

PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

ADJOURNED DEBATES

PRIVATE MEMBERS' MOTIONS

Motion No. 5 — Undertaking an Inquiry into Management of Harassment Complaints

[The Assembly resumed the adjourned debate on the proposed motion by Ms. Heppner.]

The Speaker: — The Chair recognizes the member for Kelvington-Wadena.

Ms. Draude: — Thank you, Mr. Speaker. Mr. Speaker, the opposition has asked questions about the issue of harassment in the workplace, specifically in government workplaces since the first day of this session. We've been trying to ascertain answers as to the why the Carriere case was allowed to happen in a government workplace. We have many questions, and we've had very few answers.

Questions like why won't the NDP table a legal opinion of the \$275,000 payout to Murdoch Carriere? Why the NDP says they consulted with the women who were harassed when they knew that was not the case? Why did harassment complaints that were brought forward to their supervisors, to the assistant deputy ministers, and the deputy ministers, why were they never taken seriously? Why was Murdoch Carriere given a top-up to his pension even though the people of Saskatchewan were told that he was fired? What happened prior to 2002 when the complaints were made public by the Gillies report?

The people of this province, the people of Saskatchewan deserve to know the answers, and they deserve much better than what this tired, old NDP government has given them.

Mr. Speaker, I remember my very first job as an aide in the local hospital, listening to women talk about the incidents that they had faced in their life. I was absolutely amazed to hear so many of them tell stories of abuse in the workplace and how so many of them had never said a word. They were educated, professional women — intelligent and strong. Yet during our late-night shifts when occasionally things quietened down, they'd share their stories. They talked of fear, and they talked of intimidation, and they talked of frustration. And mostly they talked about anger. They were angry at themselves because they didn't stand up for what they knew was right. That was four decades ago, Mr. Speaker.

A lot has changed in the last four decades. The women in our health care centres today are not just nurses or secretaries or cooks. They are the doctors and the radiologists and the specialists of all kinds.

Yet today, 40 years later, the stats still tell us that four women out of ten are still abused — mentally, physically, sexually, or emotionally. There are not too many women in this Assembly who would put up with that type of abuse or assault. We are seen as a strong group of people — strong-willed and independent and, kind of, butt-kicking women. But there are a lot of women who are not that way.

But still, deep down, I know that all of us have memories, Mr. Speaker. And that is why it is the responsibility of every woman in this Assembly, and just as importantly every man in this Assembly, to send the message that there is zero tolerance for abuse — ever — anywhere in this province and especially in a government workplace where each and every one of us are responsible for the employees. Every employee in our province, whether they work in the private sector or in government, has the right to feel safe in their workplace. And if they don't, if the system breaks down, there must never be a time when people are left with the feeling of betrayal, like the women that are involved in this Murdoch Carriere scandal.

Mr. Speaker, the proposed changes for the OHS regulations are very personal. They're personal for every one of the members in this Assembly. And I think we should call it exactly what the Murdoch Carriere was — sexual harassment. By the very nature of their gender, these women were exposed to a systematic course of behaviour that was abusive and harmful. They were targeted because of the very fact that they were women. And their male supervisor, Murdoch Carriere, had the ability — or should I say the abuse of power — to control and intimidate

women in the workplace.

The women in our lives deserve to work in a place that is safe. They deserve to be treated with common decency and respect. These people are not nameless. They are our daughters and our granddaughters and our sisters and our nieces and our nephews, and we should never forget that fact.

Now this government has introduced changes to the OHS legislation that sees an expanded definition of harassment to include protection against personal harassment, but what would these changes to the OHS regulations have done to prevent the Murdoch Carriere case from occurring? There was nothing vague or obscure about the Carriere case. It was a blatant example of sexual harassment. Jumping out from behind the door and grabbing a woman from behind in order to kiss them on the lips is not acceptable or usual in a workplace. It is not something that women should have to identify as unacceptable and advise the person to stop. An average person, any average person would know that this form of behaviour is not welcome.

[12:45]

Mr. Deputy Speaker, it is clear that the proposed changes to the legislation would've done nothing to prevent the Carriere situation. The problem was not with the grounds on which the women were able to make their claims; these women knew full well what they were experiencing was sexual harassment. They knew it was wrong, and they knew they had grounds on which to complain and which to bring it forward to their superiors, and they did that.

There was no limitation in the legislation in terms of defining Carriere's behaviour, and yet we are now making amendments to the legislation that will redefine what constitutes harassment. Mr. Deputy Speaker, that's not the problem; the problem is that this issue was not taken seriously by senior people in this government. Senior officials were not held accountable to deal with their complaints, and they were not held accountable to make difficult decisions, and they were not held accountable to take action. Rather they were encouraged to sweep it under the rug.

The changes to the legislation are a feeble attempt by a tired, old NDP government to redirect attention away from the incompetency they displayed while handling the Carriere case. Instead of admitting that they mishandled a situation, that women deserve better, and that they needed to strengthen internal processes to deal with the harassment complaints, what does the government do? They started the long and painful process to cover up their actions, to propose amendments to legislation that will only give false hope to working people in the province unless there is actually determination to make some real changes.

Addressing harassment is really a question of changing workplace attitudes. In the case of sexual harassment, it's about addressing some of the fundamental cornerstones that define the way in which men and women work together. Some of the workplace culture is set by the way in which your most senior people communicate with others and how they demonstrate their commitment to ensuring a safe and respectful workplace. Senior managers need to be held accountable for their actions

and for ensuring that issues of harassment are taken seriously.

You will never eliminate harassment from the workplace. This is an unrealistic goal. But what we can do is ensure that there are mechanisms in place to prevent situations from arising and to deal with them efficiently and quickly when concerns are raised.

So while we still struggle to properly enact legislation that already exists to deal with harassment in the workplace, this government now brings in yet more legislation to broaden and widen the definition.

Mr. Speaker, while this government has not yet demonstrated that it is able to enforce the existing harassment legislation, including within its own workplace, we now see it had made further changes to legislations.

My sincere concern, Mr. Deputy Speaker, is that this will result in yet more workers looking for avenues to deal with their situation of harassment and discovering that the processes and procedures really don't offer them anything very tangible at all. There will be yet more people whose optimism and hope will be turned into cynicism and despair when they discover the options they have had to deal with harassments are really nothing more than a crumbling facade.

The proposed legislation is also being presented without any consultation to stakeholders who would have important contributions to make. Of these, the very women who were involved in the Carriere case would have essential information to share that would help us ensure the legislation and the accompanying process and procedures were designed to serve the interests of the complainants.

But who is this government consulting with? They're consulting with themselves. They're consulting within a bureaucracy and a select group of people who sit on the OH&S council. I would be hard pressed, Mr. Deputy Speaker, to suggest this is a comprehensive consultation process that would meet the critical information necessary with which to design legislation that would clearly meet the needs of employees in this province.

Public policy is not constructed overnight in an attempt to throw opposition off track. When this is the case, such as what we are seeing now with the current amendments being proposed to OHS, we see legislation poorly thought out that could cause eventual grave concerns for citizens. But apparently that's not the concern of this government at all.

Their greatest concern is about scoring political points. It's not about developing sound, effective public policy that's a result of legitimate stakeholder consultation. It's about having a good media day finally in this legislature.

We have government publications that say, that talk about this issue. In reviewing information on the issue of harassment, I've had the opportunity to consider what is included on the occupational health and safety website. There it is stated that Saskatchewan's Occupational Health and Safety Act, 1993 and regulations address violence in the workplace and specifically require employers to protect workers from workplace

harassment insofar as it's reasonably practical.

The Act requires that employers develop and implement their harassment and violence policies in consultation with workplace occupational health committees. Each year the occupational health and safety division provides training to occupational health and committee members on their roles and their responsibilities.

The OHSD [occupational health and safety division] released two publications to assist employers in developing a violence policy entitled *A Guide to Developing a Violence Policy Statement* and *A Sample Policy on Workplace Violence*. This was produced by this government. These publications are targeted at high-risk workplace such as health care facilities or places where workers work alone or in isolation.

The Occupational Health and Safety Council is currently reviewing the occupational health and safety legislation, including the adequacy of these sections related to harassment and violence. And since this was last updated, the OHS council with whom the government will be consulting on changes . . . is at best a questionable consultation process.

In addition there are also several documents that include information about the issues of harassment. For example, the Status of Women office profiles that issues as part of its action plan for Saskatchewan women, and I quote, "The Government of Saskatchewan will increase efforts to publicize and monitor employers' responsibility for providing violence and harassment-free workplace."

It doesn't say that doesn't include the government. They should be following their own legislation. Must I remind the government that they were the ones who first established the sexual harassment prevention program within the then Women's Secretariat? The materials that they developed were widely distributed and utilized by various people inside and outside of government. However this government also saw fit to discontinue this program. And now we see that the issue has again resurfaced, and I am again referring to these documents that spoke to the issue of sexual harassment and provided much needed information to help workers and employees deal with the issues.

In one of the documents, *A Guide for Complainants*, the various options for dealing with harassment are outlined. First you:

Talk to someone in authority — your manager or your supervisor — and discuss what actions can be taken to resolve the situation, including provisions in your workplace harassment policy. If the harasser is your boss, it may be necessary to talk . . . [to someone] more senior . . . or with someone in human resources.

It's obvious from what we do know about the Carriere case that that is exactly what the women did. It was their boss who was their harasser, and they went to the senior officials in the department — their ADM [assistant deputy minister] and their DM [deputy minister] — who did nothing. They went to the Premier and he did nothing.

Second, it says:

Consult your Union — if you are employed in a Unionized workplace, obtain . . . [some] information about the possibility of using grievance procedures.

Again, where was the help for these women?

Contact the . . . Occupational Health and Safety Division — . . . determine if . . . [it is] a violation of *The Occupational Health and Safety Act*.

Again, where was the OH division when it came to protecting the rights of these workers?

The document goes on to outline the possible outcomes of pursuing various options. The truthful reality of the information can probably ring true for many women who have attempted to address the situation of sexual harassment. For example, some possible outcomes of a workplace harassment policy might include you get a letter from your employer acknowledging the harassment and apologizing. You might receive a letter of apology from your harasser. You might be offered some money as compensation for being harassed. The harasser might be transferred, demoted, suspended, or dismissed. The last two points are sadly ironic.

Yes — you might say — some got money. Yes, the nine women did — \$15,000 each. But it doesn't say that the harasser should receive \$275,000 and actually be rewarded for having entered into a systematic pattern of harassment and assault over a number of years. Nor does it say anything about the harasser actually being promoted for their behaviour.

Another document I've had the opportunity to review was also produced by the previous Women's Secretariat. *A Guide for Employers* often offers some useful information to help employers understand harassment and to recognize what the role is in managing the situation.

This causes me to speculate if anyone in Saskatchewan Environment had the opportunity to review this information, in fact if it was ever brought to their attention in the first place. For that matter, would those in Executive Council ever stoop to actually read something that was produced by the public service to address the situation? I'm indeed skeptical about that as well.

Mr. Speaker, I strongly suspect that there has been much to be learned from these statements, and I would also strongly suggest that the Minister Responsible for the Public Service Commission pay particular attention. These are the very messages that are so desperately needed to be communicated to the managers to the civil service:

The first myth, the myth that no one's complained, so it's not a problem in our workplace. Fact, a lack of complaint should not be confused with the absence of a problem. Individuals are more likely to come forward with a complaint of harassment when the issue is taken seriously and if there's an effective process for resolution. In contrast when the issue of harassment is dismissed, an environment is created that actually prevents people from coming forward, and in effect fosters harassment by failing to discourage it.

Second myth, unless someone complains, I'm not going to

make waves by interfering. Fact, this reflects a reactive approach in which the supervisor or manager assumes there is no basis to intervene until there's a real, formal complaint. As a result, management will be forced to deal with the situation when it becomes a lot more complex and the work environment has deteriorated even further.

The third myth, we've addressed the issue. We've posted our policy and done some education. Fact, when these two activities in isolation constitute an organization's strategy for dealing with harassment, very limited success and further complications can be expected.

The fourth myth, it's impossible to monitor the actions of every employee. I can't be held responsible if someone does something wrong. Fact, employers, including government, are legally responsible for the actions of their employees. Therefore it is in the best interest of employers to implement and monitor respectful workplace practices and effective mechanisms for dealing with harassment.

Again, Mr. Speaker, a point that the government needs to pay attention to:

The fifth myth, we have a zero tolerance policy. That takes care of the harassment in our workplace.

Mr. Speaker, this is one of the most interesting and relevant points I wish to emphasize to my colleagues, and I quote:

Unfortunately a zero tolerance policy tends to replace a comprehensive strategy and process to prevent and address harassment.

Such a statement implies that strict disciplinary action will be taken in all instances of harassment regardless of the severity. Such an absolute and uncompromising response contributes to a sense of fear and skepticism.

So, Mr. Deputy Speaker, I would strongly suggest to this government that instead of producing posters and pamphlets that talk about respectful workplaces, that boast about a government that has zero tolerance or being a harassment-free zone, they should be focusing on doing something substantive to ensure that legislation that is already in place is being put into effect, that managers and the most senior people in government departments are being held accountable to ensure the health and safety of their workers.

Mr. Deputy Speaker, it's sadly ironic that the same NDP government was ordering civil servants to develop this document. It was simultaneously using managerial and bureaucratic powers to suppress the legit grievances of government employees. Nine women, Mr. Deputy Speaker, nine women employed by the taxpayers of Saskatchewan were actually subject to precisely the type of harassment as the court has found . . . as this court has found violence in the workplace and this NDP government reported to be concerned about.

The Acting Speaker (Mr. Prebble): — I apologize to the . . .

Some Hon. Members: — Hear, hear!

The Acting Speaker (Mr. Prebble): — Members of the Assembly, it is now 1 o'clock, the time for adjournment. I declare this Assembly to be adjourned, and I wish all members a very good weekend. We will reassemble at 1:30 p.m. on Monday.

[The Assembly adjourned at 13:00.]

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