



STANDING COMMITTEE ON HUMAN SERVICES

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**STANDING COMMITTEE ON HUMAN SERVICES
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Ms. Judy Junor, Deputy Chair
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Mr. Denis Allchurch
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Mr. Cam Broten
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Ms. Doreen Eagles
Estevan

Mr. Serge LeClerc
Saskatoon Northwest

Mr. Greg Ottenbreit
Yorkton

[The committee met at 14:30.]

The Chair: — Good afternoon, committee members. I hope you will bear with me. I woke up with a case of laryngitis this morning, so I would ask your indulgence and your co-operation this afternoon. We have on our agenda before us Bill 5, and later this day we will also consider Bill 6.

Bill No. 5 — The Public Service Essential Services Act

The Chair: — Committee members, since Bill 5 was just referred to this committee yesterday, before I go to clause 1, I would ask the committee members if they have any general comments that they would like to make about process or anything of that nature or any general comments with regards to Bill 5. Seeing none, we will start the deliberations on Bill 5, clause 1.

Clause 1

The Chair: — We have with us here this afternoon Minister Norris. And he has some officials. Would you please introduce your officials.

Hon. Mr. Norris: — Certainly. Thank you, Mr. Chair. I'm happy to make the introductions today. And let me just begin by saying how pleased I am, and to applaud the efforts of the officials.

Many of you will know Wynne Young, our deputy minister; as well, Mike Carr, associate deputy minister; Mary Ellen Wellsch, right here, acting executive director in labour planning and policy. And Pat Parenteau is also joining us here today. And there are officials from my office as well that will be here.

The Chair: — Minister, do you have an opening statement?

Hon. Mr. Norris: — Indeed I do. Thank you, Mr. Chair, legislative colleagues. Today Saskatchewan is a very different province than it was a decade ago or, some would say, even a few months ago. We are a province that is on a roll. Right now we're a pace-setting province, a confident and prosperous leader in Canada, and, if you want, the talk of the town. Business reports, bank analysts, headlines of national newspapers, *The Globe and Mail* are all talking about a new Saskatchewan.

These reports simply reflect and reinforce that we are no longer just a place to be from, but we are a place to be. And in fairness, what our government offers is elements of both continuity and change.

Our government is focused on keeping our campaign promises, sustaining economic growth within Saskatchewan, and ensuring that the prosperity of this province is shared with the people of this province. We are also focused on bringing more people to Saskatchewan, providing more and better skills training, education to ensure that our province and all of its citizens are able to meet our respective potentials.

Obviously as well, we're focusing on ensuring that we have a fair and balanced labour environment that promotes public

safety, security, and economic competitiveness while respecting bargaining units and the right to strike. As we move forward, our government hopes that we can all benefit from sustaining and expanding the momentum that we are experiencing.

Directly to our subject of discussion today, Bill 5, The Public Service Essential Services Act will help us to achieve this vision.

When speaking about essential service legislation, it's important to note that within our campaign document, we said that we would work co-operatively with others to ensure essential services, that they are in place in the event of a strike or labour action. And in December our government introduced this essential service Bill. It was under shadows of a recent CUPE [Canadian Union of Public Employees] strike that affected the University of Regina and University of Saskatchewan, and in fact affected people across our province.

In the intervening months since we tabled this legislation, we've held consultations with stakeholders, including unions, employers, and other affected groups and institutions, including universities and municipalities. And I'll come back to the topic of consultations again within my remarks.

However at this stage it is important to reinforce that stakeholders have been engaged in the discussion and helped to inform our position as we move forward. With this legislation, our government is demonstrating our commitment to the health and safety of Saskatchewan people. Ensuring the health, safety, and security of the people of our province is a fundamental rationale if you want the principal reason for the introduction of essential service legislation at this time. When it comes to essential services, our position remains very clear. Labour disruptions cannot be allowed to put the lives of Saskatchewan people at risk, most notably as we're addressing public institutions and public services.

That said, we respect the collective bargaining process, and I want to reiterate that this legislation does not remove the right of unions or other bargaining units to strike. That right remains secure.

This legislation balances the rights of workers and unions and other bargaining units with the need for essential services and the need to ensure public safety. Bill 5 defines four categories of essential service and this element, if you want, these four criteria help to address some of the questions that have been raised in the legislature to date.

The Bill is meant to ensure that when it comes to issues of danger to life, health, or safety, people come first; that there is consideration for ways to prevent the destruction of equipment or premises; that attention is given to ensure that serious environmental damage is not done; and obviously to ensure that there's no disruption to the courts. This, of course, is very important when we think about the welfare of children.

Currently every province with the right to strike in the public sector has essential service legislation in place except for two — Saskatchewan and Nova Scotia. Nova Scotia, under a minority government, has tabled this legislation. We need to be

competitive with other jurisdictions across Canada and be informed by best practices while also continuing to advocate for and focus on the health and safety of the people of this province. Our government is convinced that this legislation is the best direction for Saskatchewan.

I'll get into a few elements or components of the Act. The Act is in its very essence an enabling document. It's meant to help ensure that prior to any labour disruptions occurring, that in a very predictable fashion and framework the right to strike is balanced with public safety.

This legislation provides a mechanism to determine which public employer work activities are essential and which employees are needed to maintain those activities during a work stoppage.

It defines public sector employers whose services are essential, including the government, Crown corporations, university, and SIAST [Saskatchewan Institute of Applied Science and Technology], health employers and municipalities.

Again it's important to reinforce, as it came up in the legislature, this by no means or in any way underlies that there would be blanket legislation because the engagement of these institutions is seen through the four lenses — protection of property, protection of life, environmental damage to be reduced or eliminated, and the disruption to the courts.

The legislation requires that the bargaining unit and employer, at least 90 days before the expiry of a collective agreement, that there needs to be a negotiation of essential services, if you want — an agreement put in place that determines which services are essential and what employees will be necessary to maintain those services. This stands in stark contrast to the recent strike on our two campuses where those negotiations went on in quite a public fashion after the labour disruption began.

The legislation provides that if there are fewer than 90 days to the expiry of a collective agreement by the time the legislation is passed — that is in this intermediate phase right now — the employer and bargaining unit must begin negotiations to conclude essential services agreements.

It sets out a process for determining the employees who must work to maintain essential services during a work stoppage. That is, the employer and the bargaining unit will negotiate the designation of essential services.

If there is no essential service agreement by the time work stoppage begins, and I'll highlight how this Bill is intended to ensure that that isn't the case, but if it is, the employer must provide a list of essential services and workers to the bargaining unit, and those employees will continue to provide service during the work stoppage. That being said, there's a mechanism of review and that is reference to the Labour Relations Board.

Far from being unilateral, this is an instrument that ensures balance. The Labour Relations Board conducts an investigation or hearing and makes an order within 14 days. So what we see is a 90-day threshold, followed by a 30-day threshold. Thirty days out the bargaining unit has access to the employer list. It then can go to the Labour Relations Board and within 14 days

have a ruling. Two weeks prior to any labour disruption occurring, the outstanding issues can be settled and resolved. Very fair, very balanced, very reasonable, and most importantly for the people of this province, very predictable.

In reference to those employees who are determined to be essential to work in the event of a labour disruption, neither the bargaining unit nor the employer nor any other person is permitted to keep them from working or discipline them for being at work. Their wages and benefits continue as they were under the recently expired collective agreement. So again we see great elements of continuity, predictability, and certainty.

The legislation provides for fines for an employer or bargaining unit that contravenes the Act. It also provides for fines, more modest in tone, regarding individuals that may contravene the Act. As you can see, the legislation is about two main concepts: first, protecting the health and safety of the people of this province; and second, for the parties involved, maintaining a sense of balance.

I thought I would highlight elements of our consultations. As I said upon introducing the legislation this past fall, we most certainly wanted to hear what stakeholders and the public across the province had to say when it came to essential services. January and February, my officials and I had the opportunity to consult on Bill 5 and Bill 6 with a broad spectrum of stakeholders including labour unions, employer groups, universities, and municipalities, among others. Letters of invitation were sent to 84 stakeholder groups requesting feedback, and subsequently 20 meetings were held including nearly 100 representatives from these organizations.

We also received comments from the public via our website, email address, and by letter. We heard from over 50 groups, businesses, unions, associations, cities, and individuals. And as importantly, as I attended various public functions and went about the business of representing the people of Saskatoon Greystone, a number of individuals came to me and approached me — some in favour of the legislation, some opposed to the legislation, many having questions about the legislation, and some asking specifically that their organization be allowed to be covered by this legislation. These were compelling anecdotes. They reflect contemporary Saskatchewan with its opportunities and challenges.

Along with my officials, I listened to the interested parties. We reflected on their presentations and in most cases we received suggestions on how to improve the legislation or strengthen its spirit. In addition we were able to identify areas where we could enhance the effectiveness of the Bill, resulting in amendments to the proposed legislation. And I understand that these will be put forward during the course of the work of this committee. Importantly the amendments do not change the essence or the substance of the Bill and I look forward to discussing these changes with all of you as we proceed.

I thought what I would do is just simply reiterate the significance on why we need essential services in Saskatchewan. This legislation gives the people of Saskatchewan the peace of mind, if you will, a degree of predictability as it relates to public safety, and this is an advancement of where we sit today. The people of this province

will know that their health and safety and especially the health and safety of their children will be assured under this legislation.

At heart we all want to ensure that families receive medical attention when they need it. We want to know that our highways are going to be kept clear in the winter so that lives are not put in jeopardy as we go about our daily business. We all want to ensure that our court system is going to maintain a democratic and continued process and be available to ensure that for children in need, those services remain functioning. We want to be sure that key elements of our environment are not put at risk. We want to know that important structures like laboratories and specialized equipment that help the people of this province secure their health, maintain our sense of community, are also not put in jeopardy.

These key elements that we value will be assured to the people of this province with this legislation. Importantly, again to reiterate, as we said that we would ensure essential service legislation in Canada, the mechanism for doing that is through legislation. We did comprehensive comparative work on this issue and it's helped to inform our steps forward on this legislation.

In closing I'll just reiterate that this is an exciting time for Saskatchewan. As the ministry that I have the honour of serving focuses on ensuring that we have more people in Saskatchewan, that more people have the skills training and education they need to participate in and benefit from our economic growth, and that the proceeds and prosperity of our era will be shared across the province, they also want to know that we are moving forward on key elements of our labour environment.

This Act represents a new era of fairness in our province in which the health and safety of our residents takes on higher priority. As our economy continues to build momentum, we remain committed to the health and safety of our people in the province. We are confident that the legislation will help to ensure a secure and prosperous Saskatchewan as we move forward.

Mr. Chair, committee members, I thank you for the opportunity to speak to the legislation and I look forward to the dialogue and discussion as it moves forward today.

The Chair: — Thank you, Minister. The Chair recognizes Mr. Iwanchuk.

Mr. Iwanchuk: — We'll try not to make that too difficult for you there, Chair. Thank you.

I'd like to welcome the minister and the officials. And just a question because I was writing here and I didn't quite get Mary Ellen Wellsch, the title for, just the title for Mary Ellen.

Hon. Mr. Norris: — With the introduction? Certainly. Mary Ellen, why don't you offer your title.

Ms. Wellsch: — I'm the acting executive director of labour planning and policy.

Mr. Iwanchuk: — Okay. And there was one other person after

the assistant deputy that I . . .

A Member: — Pat Parenteau.

Hon. Mr. Norris: — Pat is joining us.

Mr. Iwanchuk: — Yes, okay. Thank you very much. Well welcome to all the officials and members here. We value the time that we will be able to spend on this committee. We would kind of hope that as these committees had in the past, that perhaps they had involved public hearings that could have been taken out to the public.

But I think we will accept these and as I said, value the time we spend here trying to understand the goals of this legislation. Our goal here will be to understand and clarify to ourselves and interested parties and the people of Saskatchewan what the intent is and what this legislation will mean for us.

We know that this legislation will have significant impact for people, particularly people in the, for example the health care context who are presently now involved or will be in . . . some are bargaining and some who will be coming to bargain in the health care sector. And that is some of our largest employers in the province.

But with that, I understand and I thank the minister for his comments on the rest of that. But in terms of helping us understand this legislation I think it would be . . . well I think we would almost have to have the amendments. There would be no point in discussing a section of the Bill and then proposing amendments after that discussion took place. So if we could have all the amendments tabled, that would facilitate our ability to ask questions. So is the minister prepared to table the amendments at this time?

Hon. Mr. Norris: — You know, I'll refer to the Chair on the process for having amendments tabled.

The Chair: — Committee members, it's the minister's prerogative as to whether he would want to table the amendments now or at a later date. We will leave that decision with the minister. And I believe we will be spending quite a bit of time on these Bills so I will refer back to the minister and it is up to him whether he would like to table those amendments at this time.

Hon. Mr. Norris: — My recommendation is that we can likely go through some significant elements of the legislation without making reference to the amendments at this time.

Mr. LeClerc: — Just you're going to have to speak up for me. I've had eardrum damage. And if you're going to speak, I'm already halfway over the table trying to hear you. So if you could just speak a little louder for me, just a bit, I would appreciate it so I could hear everything.

Mr. Iwanchuk: — Just to repeat then. We would find it very difficult to ask questions. And I'm not certain what the minister's intentions are. But in terms of asking questions and then finding out that in fact a particular section, or if we're leading or attempting to understand an area of the Bill and then asking questions or preparing questions for that, and then

finding that that preparation or those assumptions that we were making were in fact amended, I mean what would be for us in terms of understanding the Bill, it makes it awfully difficult to deal with this Bill.

I mean I'm not sure what reasons, what are we hiding. I mean we're here in a committee. People are watching this, wondering, you know, that we're here. We're their representatives.

Should we not have all the information before us so that we can look? Because an amendment at the beginning of the Bill might have impact later. An amendment after we've gone through the Bill . . . And I'm not certain how we will do that yet in terms of going clause by clause but an amendment where we talk through the entire Bill and then an amendment's proposed at the end which might impact on something that we have already discussed, but only changes a section . . . I'm not certain what the thinking here is because I'm not certain how this committee, we can truly ask questions when we do not have the amendments or have the Bill before us. I mean this is virtually like coming here and saying, we don't know what the Bill is, so go ahead and ask questions.

You know, we're not certain that there is a Bill here, you know. Perhaps you've amended it. And who knows what it's saying? I mean I don't understand the logic behind this. How can we look . . . I mean a Bill, law is always, the Bills are always seen as a whole. I mean one section will refer to another section. What is the thinking here? You've lost me completely.

Hon. Mr. Norris: — Well it may not be hard to do. So let me just assure you there is a Bill. And I have been informed previously of . . .

Mr. Iwanchuk: — I'm sorry. I didn't hear what you were saying.

Hon. Mr. Norris: — Yes. Well I've been informed previously that the procedure would be that there would be a different process followed. If it in fact is the case — and I'll just confirm this with the Chair again that the amendments can be tabled, and this is proper form and format. There's no substantive issue on my part.

Mr. Iwanchuk: — Actually it's a question to the Chair.

The Chair: — If it is the wish of the minister to table the amendments at this time, that would definitely be in order.

Hon. Mr. Norris: — Mr. Chair, thanks very much. We just clarified the procedure. There's no issue. We can have those tabled. Sure.

The Chair: — I would ask the Clerk at this time to table the amendments. Do all members have copies of the proposed amendments? Committee members, has anyone got . . . Okay, great. Perhaps what we'll do is we'll give committee members just a few seconds here to look at the proposed amendments.

Committee members, is it the desire of the committee to take a 5-minute recess?

Mr. Iwanchuk: — Pardon me?

The Chair: — Is it the desire of the committee to take a 5-minute recess?

Mr. Iwanchuk: — It might be of some value. Yes, thank you.

The Chair: — Okay. All committee agree to a 5-minute recess? Ms. Junor.

Ms. Junor: — I hesitate to say recess, because then we tack it on to the end of our time. This is considered to be committee work, so I'm not sure if we would consider it to be a recess. I'm asking the Clerk.

The Chair: — Well if the committee members agree, we can have this as part of committee time. We have a bit of a problem with dead air and our viewers and those sorts of things, but I'm open to suggestions from committee members as to how you would like to handle this.

Mr. Iwanchuk: — I'm not sure what the Chair was of thinking in terms of taking breaks. Were we just going to go straight through with the two and a half hours time that we have allotted, or were you thinking of taking a break at some point?

The Chair: — I would think that perhaps at 4 o'clock we would take a short break so members can attend to other business.

Mr. Iwanchuk: — Okay. Why don't we just leave that for that time?

The Chair: — Okay.

Mr. Iwanchuk: — Okay. Thank you.

The Chair: — The Chair recognizes Mr. Iwanchuk.

Mr. Iwanchuk: — In terms of Bill 5, and we have heard many descriptions as to . . . You outlined yourself the need that the government saw in bringing this Bill forward, but there were questions prior to this, I think questions that we would like to ask because in determining . . . You mentioned you determined that this was necessary, and for that I guess my first would be was, who determined that this Bill was necessary?

Hon. Mr. Norris: — Yes, I certainly appreciate the question. Obviously having just won an election, within our campaign document we said that we would work with others to ensure essential services and it was a priority of this government as we came into office. Certainly in the midst of a labour dispute on our two university campuses, that reinforced as well as reflected the need for essential service legislation.

Mr. Iwanchuk: — Now you mentioned it was in your campaign documents. Would you be prepared to table that document that . . .

Hon. Mr. Norris: — I think most of Saskatchewan has seen this. It's on page 20 and it says:

Protecting public safety by working together with the

province's public sector unions to ensure essential services are in place in the event of a strike or a labour action.

Mr. Iwanchuk: — Without getting too much in debating your own campaign platform, I guess the basic question has been, it does not talk about legislated essential services. How did you arrive at legislated essential services?

Hon. Mr. Norris: — Again I appreciate the question. There were three or four elements to the preamble. But I appreciate the question. As I understand, it is, what's the connection between ensuring essential services and moving on legislation? That's the nexus of the question.

Within the Canadian context . . . And I think it's important that we're all cognizant of Saskatchewan's place in Canada. As Peter Gzowski once said, Saskatchewan is that most Canadian of provinces. Within our context, within the context of Confederation, it's important to note that essential service legislation, that is ensuring essential services, is in place in nearly every other province, with two exceptions — Nova Scotia and Saskatchewan. Again I've highlighted that having asked this very question with my colleague from Nova Scotia, there's certainly the complication of a minority government there that is affecting the trajectory of such legislation there.

So within the Canadian context, the way to ensure essential services is through legislation. I think importantly within the Saskatchewan context, what we can see in recent years . . . Obviously I've highlighted the CUPE strike, the CUPE strike where hundreds of people were affected negatively because of the strike, specifically areas of internal medicine, pediatrics. That is the care that kids require was affected by the CUPE strike. It extended beyond that concern we have for our families and community. Animals were euthanized during the recent CUPE strike. The essential service component spilled out publicly in the media as there was a debate and discussion between the employer and the bargaining unit.

But that's just one example. We can turn to *The Globe and Mail*. We can see from January '07, page A7, "Sask. opposition pushes for essential-services law." Obviously this was before the election. Thought I might just read a little bit from this:

Saskatchewan's Opposition Leader says it's too easy for the province's public-sector unions to hold the public hostage during a strike.

Brad Wall, leader of the Saskatchewan Party, says it's preposterous that Saskatchewan doesn't have essential-services legislation to ensure public safety in the event of a work stoppage.

"Our province doesn't have any kind of contingency plan, whether it's essential-services legislation or mandated in-depth negotiations prior to collective bargaining . . ."

Unfortunately, and this is to quote from the story, "The NDP provincial government refused to comment yesterday," the story goes on. The story also goes on to say that "With 13,000 employees in its bargaining unit, the SGEU has the capacity to bring the province to a halt overnight . . ."

Another example. During that same SGEU [Saskatchewan Government and General Employees' Union] strike in which RCMP [Royal Canadian Mounted Police] officers from Alberta, Saskatchewan, and Manitoba along with out-of-scope staff from the government were called in to keep the province's correctional centres operating and my colleague from Prince Albert has some compelling stories about that example.

The strike of Health Sciences Association of Saskatchewan in 2002 where only one out-of-scope pharmacist was initially available to provide chemotherapy preparation for cancer patients. So that person went back and forth between Regina and Saskatoon to help ensure that those stricken with cancer could have treatments in our province.

During the 1999 SUN [Saskatchewan Union of Nurses] strike in which the NDP [New Democratic Party] government ultimately legislated nurses back to work, requests for nurses were denied in two intensive care units and a cardiac care unit.

So I hope what I've done is offered a mutually reinforcing frame of reference, that is a frame of reference that allows us to see a horizon of significance. That's a term, a quote from philosopher Charles Taylor that allows us to see that Saskatchewan rests within Confederation and the way that we should consider essential services. We should take note of some best practices and lessons learned from other jurisdiction and in this case, take note of the instrument utilized. And that's through legislation.

As well, if you want a vertical analysis that allows us to look into our history, then we can see that our recent history offers very compelling empirical evidence that turns and says Saskatchewan people have not been protected as they could have and should have been had essential service legislation been in place. The previous government refused to move on essential service legislation.

Our government, taking note of the most recent CUPE strike, taking note of the hundreds of individuals affected negatively in access to health care as a result of that strike, taking note that animals had to be euthanized because essential service numbers were being negotiated after the labour disruption had begun, we can see that it's compelling in the Canadian context. It's compelling in the Saskatchewan context. The people of this province want to know, with fairness and a degree of predictability, that they will have the benefit of essential service legislation. And that has informed our action to move forward on this Bill.

Mr. Iwanchuk: — Mr. Chair, I was wondering. We had requested tabling of a document. Were we going to be provided with that document now or what? The minister had said he would table it, but I haven't received a copy.

The Chair: — I heard the minister refer to a document that was widely available to all the voters of this province. If we wish, I believe the minister can provide you with a fresh copy of that at . . . perhaps we could have someone provide you with that very shortly.

Mr. Iwanchuk: — Probably a document I haven't sort of saved, but I would like to see the section. I mean the minister

said that this was our platform, this was something that we made clear to the people of Saskatchewan. And that's why we wanted to see it. It's not something again that I read quite often or remember, but I would like to see that, and I think it's important. And also he quoted from *The Globe and Mail*, and I was just wondering if that could be made available for us as well so we . . .

Hon. Mr. Norris: — . . . copies of *The Globe and Mail* article as well as copies of our platform document. This one's a little bit dog-eared but we can get you fresh documents.

Mr. Iwanchuk: — . . . that there would be difficulties with these, but it would just be nice to have *The Globe and Mail*, you know sort of . . .

Hon. Mr. Norris: — Sure.

The Chair: — Mr. Iwanchuk, I believe the Clerk will make those copies available very shortly.

Mr. Iwanchuk: — I guess why there is this, and we are talking about the people of Saskatchewan and their concerns and what we, what we have heard to date is, and it's a bit disconcerting, and I don't think there's been any denial of this from the Saskatchewan Party government, is that we had the now Health minister, when he was the Health critic, saying that we did not need legislated essential services.

I guess, and I want to pursue this, Mr. Chair, because we have heard that it was necessary, that this was said, that it was said in *The Globe and Mail* or it was said in the documents. And it's one thing to talk about safe, you know, safety. And I don't think anybody here has said that we're not in favour of safety at the workplace, I mean, or providing the services. I mean I think particularly when we get to those areas where police, fire, health, and areas that those are issues that we are also concerned about. So to say that somehow you have cornered the market on safety, I . . . [inaudible interjection] . . . Well just it's my . . . I'm asking the question here. I'm sure the minister will get his chance to do this.

The Chair: — Yes.

Mr. Iwanchuk: — I guess the issue then that I would like is I would like to see the document, because he's saying, he's using that as the basis of bringing forward this legislation. I asked him where he got the ideas from, why did he do this. He could've I suppose answered to me, he did consultations; the public was asking these questions; people were knocking down his doors; he was getting bombarded by emails. We didn't hear anything like that. He said it was in our document and so far he's given us something from *The Globe and Mail*.

I'm simply asking to see that and if that's the basis of legislated essential services, I guess that, unless the minister at this point in time wants to add something to that . . . I've heard talks about, you know, different, different things that he is going on about and I'm trying to determine how he came to the point where he said, we need essential services legislation; we need Bill 5. Who was it that was saying that we needed it? Was it your party platform? And was it the statement in *The Globe and Mail*? Is that what you're saying is based on why we have

essential services . . . this Bill before us today?

Hon. Mr. Norris: — No. I appreciate the question because it shows that I'm going to have to slow down my presentation and actually reinforce some of the key elements. The misconstruing of the response, to simply turn and say that the response previous was based simply on a campaign platform, which is significant in and of its own right, to say there's reference to a *Globe and Mail* article, I think with some degree of compelling evidence as I went through some of the consequences of recent labour relation history in Saskatchewan, I think the characterization offered by my legislative colleague would be considered truncated at best, so I'll reiterate.

Because the outgoing government was unable or unwilling or poorly positioned to address the CUPE strike that affected not simply the institutions of the University of Saskatchewan and University of Regina but affected the lives of Saskatchewan people, Mr. Chair, obviously that informed our decision.

Obviously the SGEU strike informed our decision and any reference to the *Globe and Mail* article would be contextualized by that strike, Mr. Chair, obviously, and perhaps the member missed it. The strike by the Health Sciences Association of Saskatchewan where only one pharmacist out of scope was initially available to provide chemotherapy for Saskatoon and Regina — maybe the member missed that — as that individual had to travel between the two cities to help ensure on a very limited basis that the people of this province still had access to cancer treatment.

Perhaps he missed it when I made reference to the 1999 SUN strike when nurses were denied for two intensive care units and a cardiac care unit. I don't think he would have missed it though, Mr. Speaker, because it was his government that legislated the nurses back to work.

So if you're looking for a rationale, it's to turn and say, based on best practices, based on contemporary public policy instruments that are available within the Canadian context to help ensure public safety in times of labour disruptions — just in case that was missed — that provides the rationale and framework for moving forward on essential service legislation. It's to protect the people of this province.

Mr. Iwanchuk: — But the people listened to the now Health minister. The people listened to your leader who . . . He's written letters to the Saskatchewan Union of Nurses outlining essential services not necessary. There's been no denial that the present Health minister, even right before the election, stated that there was, essential service legislation — legislated — was not necessary. Are you saying that now in this document that you produced that that . . . Who was right? I mean this is a question of credibility so . . .

An Hon. Member: — No, it's not.

Mr. Iwanchuk: — It's a question of credibility that says your leader is saying, or your party members are saying that this is not necessary. And you are now saying that your party document said that you were clear in there. And you raised it. I mean, you raised that it was clear to people that this was why you were bringing it forward. You said you raised that.

Hon. Mr. Norris: — I raised it. I'm happy to raise it to provide some empirical data. Again, as of January '07 in *The Globe and Mail* article, and I understand this is going to be making the rounds here shortly, maybe I'll just . . . it's worth reiterating:

Brad Wall, leader of the Saskatchewan Party, said it's preposterous that Saskatchewan doesn't have essential-services legislation to ensure public safety in the even of a work stoppage.

Well one would hope that the member would be familiar with *The Globe and Mail*, but just in case he missed it that day, I mean, there it is. It's published. It was on the record. And, you know, I think part of the key for us is in reference to what you've just added, and that is, you know . . . You make reference to another statement made by the Premier of Saskatchewan. You know, this is on the public record. Are the references you're making on the public record as well?

Mr. Iwanchuk: — In terms of bringing forward the Bill then, if we were to say then, is this your understanding in terms of a major piece of legislation, is that your intent? Is that normally the way Bills are brought forward — that someone has an idea and then draft a Bill and present it in the legislature? What is the procedure around bringing Bills forward?

Hon. Mr. Norris: — You know, I appreciate this. And thankfully I sit next to the Minister of Justice, and perhaps for another day I'll get him to provide a tutorial on the drafting of legislation. But I think at this time it's simply fair to say that the process that we utilized was obviously, we went forward. We won the election. We said we would table this legislation and then hold consultations. And we were good to our word.

But as far as . . . I think you're going somewhere and I'd just like to make some reference, and that's regarding consultation. So if we go to 2005 and the proposed smoking ban, the NDP did not consult or reach any prior agreement with the Federation of Saskatchewan Indian Nations regarding the provincial smoking ban. In fact in the *Regina Leader-Post* on April 13, 2005, Chief Alphonse Bird of the Federation of Saskatchewan Indian Nations criticized the government for not consulting with First Nations.

Regarding Domtar, the *Prince Albert Daily Herald*: "To date there has been no consultation by Saskatchewan with the Montreal Lake Cree Nation regarding the arrangements between the Government of Saskatchewan and Domtar for the Prince Albert Pulp Mill."

Regarding labour standards and trade union amendment Act, Bills 86 and 87 from 2004 and 2005, open letter to the former minister of Labour who's joining us here today:

Your continual reference to consultations with the business community and legal practitioners is very troubling. There has been no meaningful consultation or public hearings on these significant changes to labour legislation.

Michael Fougere offered a letter in the *Regina Leader-Post* May 4:

"They've learned nothing from the available hours," . . .
"They introduced the Bill in the legislature and they assume that's consultation. That's not consultation."

We could turn directly to most available hours, school division amalgamations, municipalities Act, First Nations privacy issues. What we said is we would table the legislation and hold meaningful consultations. We've done that. We were informed by those consultations and the amendments that we've tabled today are the result of those consultations.

So if you're asking about consultations, and I believe that's one of the undercurrents, then I think we can turn and say, the consultative process that began with 84 letters of invitation being extended; that began through electronic medium, over 100 ads being placed in newspapers; or around 100 ads being placed in newspapers resulted in 82 responses; 20 meetings being held chaired by either the deputy minister or myself with nearly 100 individuals involved. I guess we can turn and say we found those very helpful. We found them informative.

And I think our track record is significantly, significantly in tone with our commitment to ensuring the public safety of Saskatchewan people balanced with the right to strike, informed with the help of stakeholders as they had the opportunity to review and comment on the legislation.

Mr. Iwanchuk: — I actually was going towards the discussions we've been having in the Assembly on drafting. And that was my question on procedure. First were questions on why. Second was questions on procedure. You have mentioned procedure of the former NDP government. I was asking questions about your procedure, so I would still like that answered. And then perhaps while you're answering that, if you could add who drafted this legislation.

Hon. Mr. Norris: — I think it may be helpful to begin with the last element of your question first, and that is the drafting of this legislation was undertaken by the Ministry of Justice with obvious input from our ministry, as well as input from Executive Council. That's a key element.

The procedure for going forward with legislation, obviously we came into office . . . Again because of the ongoing labour dispute that was affecting not only the institutions but also the health and well-being of the people of this province, and I don't know about you, but I certainly received feedback about . . . and quite direct as far as the disruption to people's lives, and most especially regarding health care questions while I was still out campaigning.

So that's, you know, I guess to reinforce that impetus for action. The procedure for moving forward with Bills, there were discussions, dialogue — as there often is within a government — on ways to move forward, especially in those opening days. And that discussion and dialogue focused on ways to help ensure public safety, especially in light of what was under way.

So we not only oversaw . . . And I applaud — and I have again done this publicly, but I'll do it again — applaud the efforts of the conciliator, Mr. Doug Forseth. He did remarkable and outstanding, exemplary work in helping to bring to a close the labour disruption that affected our universities — the University

of Saskatchewan and the University of Regina.

And so that internal dialogue, discussion of a new government that focused on trying to help ensure public safety and security, the drafting done by Justice, obviously with input from the Ministry of Advanced Education, Employment and Labour as well as Executive Council.

Mr. Iwanchuk: — So just returning back to . . . because I've just gotten the document. I want to read this back because I'm confused and perhaps you'll help me out. It says, "Protecting public safety by working together with the province's public sector unions to ensure essential services are in place in the event of a strike . . ."

My question — well I have two questions. One, is your idea of working together with public sector unions to make sure that this is in place is by putting in legislation without any consultation about it? Secondly, you just said that you were in dialogue as to what should be happening while the CUPE strike was in. When exactly did you determine that this legislation would be necessary? That is my question. And so far I'm not getting an answer.

So my question is, does this mean — working together — is this your definition of working together when all the unions are saying they are wanting public consultations, that they are dissatisfied with the procedure that you are taking? You are now asking us to believe that one, that this means legislated essential services that you are working with these people, and secondly now, that you were saying that you were in dialogue during the strike, after the election. When did you determine that this legislation was necessary? Just a simple answer.

Hon. Mr. Norris: — Actually I wish I could begin with a simple answer but I guess I reject a key element of the premise of your questions. There are actually three or four, a compound question. So let's begin to separate the strands of your question. The one is, we tabled this document in late December, obviously.

The need to ensure public safety was not new. As you can see from *The Globe and Mail* — I think now I assume everyone has this, so you can go through it — this was not new. We're elected to govern. So we needed to ensure that through the good offices of Doug Forseth, the labour disruption came to an end, that people could have access again to the medical care that they needed, that kids and families had access. The outgoing government didn't seem overly concerned with that. The track record going back years, the outgoing government didn't seem concerned with that. Actually it's even more complex than that.

What we've heard in the last couple of days is reference to a sledgehammer, if I remember from Regina Coronation Park. I'm going to link that to a statement from the member from Saskatoon Meewasin. Any notion of a sledgehammer would have to make reference to back-to-work legislation. The member said, Mr. Speaker, about essential services, we have had back-to-work legislation in the province of Saskatchewan.

What we realized as far back, and I think you'll take note of this because I think if my memory serves, in the legislature you've actually asked some questions making reference to research.

We were attentive to essential services well before even taking office. Obviously any due diligence that was done regarding the labour relations environment of Saskatchewan took note of a very curious anomaly, a serious anomaly, an exception, and that is, the people of Saskatchewan don't have essential service legislation. If you look across a map of Canada, you see just two such exceptions for the provinces.

And so the answer is, on November 7 when we were given a mandate to govern, when we were given a mandate to work to protect the health and safety of the people of Saskatchewan, research had already been under way. That's on the public record. And the CUPE strike simply reflected and reinforced the need to move forward on such legislation. So we took over as government on November 7, and that allowed us, enabled us — in fact put upon us — the burdens and obligations of governing. And in Canada, the way to ensure essential services is through legislation.

So it will come as no surprise that the essential service legislation went through various drafts so that we could table it during the first sitting.

Mr. Iwanchuk: — Well I did ask that question. When did the drafting start? I haven't heard that yet, nor did I hear the answer to my question because and I want . . . You talk about public safety in terms of essential services, and I'm saying to you that we're all on board with that. I'm also saying to you that you simply do not or have not cornered the market on that one. But I would ask you to answer because this is causing a good deal of concern out there with people who work directly in the health care sector. You have to have surely, you have to have a buy-in, you have to have co-operation. You talk about co-operation in your document. You mentioned it. It is important. I am glad that you mentioned it but you did not return to answer the question how, because these people are now saying, we were not told. Why are so many people in this province saying, we were not told about this? Why are so many people now asking for public consultations? Why are they asking for public hearings if this was something that you, that somebody was knocking your doors down on and saying this was good?

You said work with the province's public sector unions to ensure the essential services. Where is the work that you have done there? You have talked about, well we did some drafting. When? I asked when.

We have the now Premier, we have the new Health minister saying, why don't we look at the nurses? Why don't we look at the way the nurses handle essential services? You have now come here and said that in fact SUN did not provide essential services on that. Well I would think that perhaps then you should sit down with SUN and have that discussion.

So I would like the questions answered. When did you draft this legislation? When was this started? We have asked that right at the beginning and I still, I would like an explanation of how people . . . And this is where the disappointment comes. You have people who are working in this sector. You need those people because if they are disheartened, if they are not giving their all in that, our health care system will not be the best that it should be.

Based on that could you explain — because they are asking what you have done to date — how what you have done when you tabled the legislation, how did you answer this that you have worked with public sector unions? And is that your definition of what you have done to date, of working with public sector unions to ensure essential services? Because they are the people who deliver the service. You and I don't deliver that. We may discuss these Bills but the people on the ground deliver that service. And I would tell you that if you don't have the buy-in of those people, you are creating a problem in health care.

So if you could please answer the question, because they are concerned. Explain to the people here how this means that you are working with them and when was the drafting on this Bill begun.

Hon. Mr. Norris: — Again I appreciate the question. The drafting began in the early days of our government. You can use November 7 as a reference point. The feedback that we received, including from public sector unions, has helped to inform some of the amendments that you see before you. So that's one key element.

Some of the early expressions were that the way to move forward was to actually make sure that we had a proposed Bill in place so that stakeholders could actually comment on it. And we'll have some references here. But given the imperative of the CUPE strike, given some early work that we had done, the way to move forward was to have that draft and then ensure that we had feedback — again, not all of it positive, not all of it supportive, but all of it fruitful — to help refine and strengthen the essential service legislation.

So what we've seen from that is that obviously there is a certain resistance to essential service legislation from various public sector unions. And that's certainly not a state secret. Many of those organizations have offered reports, been quite active in the media, as any healthy society has pluralistic debate and dialogue which is under way.

So we were given a mandate to govern. The public safety component of essential services, balanced with the right to strike, was drafted and crafted into a piece of legislation. That legislation provided us a platform through which to go debate, dialogue, engage in discourse with institutions and entities and individuals right across the policy community. We appreciated very much those fruitful discussions and dialogue.

Not everyone was supportive of essential service legislation. We appreciate that. But even those that weren't came to the table with specific ideas and suggestions. It allowed us to help ensure that we had a better piece of legislation, that the people of Saskatchewan would have a better piece of legislation to ensure their public safety, to ensure that when snowstorms come their highways will be plowed, to ensure that cancer treatment will not be disrupted, to ensure that kids have access to care. That's how we proceeded. We proceeded based on the mandate we were given.

We tabled the legislation. We went out for consultations. We've offered amendments based on those consultations. And we're moving forward with this legislation that is vital to the health

and safety of the people of this province.

Mr. Iwanchuk: — Okay. Well thank you for the answer to the drafting. Thank you for that. I again don't envy you defending the statement in your document here in the party platform because that you haven't talked about, but be that as it may. Now just two questions yet since we are on the drafting.

What role did Kevin Wilson play in the drafting? And secondly, you also mentioned that SUN in the 1999 strike denied requests for providing essential services. Could you state those to us, please?

Hon. Mr. Norris: — Certainly.

I appreciate the question regarding Kevin Wilson. Kevin is a longstanding member of Saskatchewan's legal community. I'm sure you'll agree with that. And if I interpret your question, it has two elements. It goes back to your previous question about the drafting of legislation. And I want to give these committee members and the people of Saskatchewan that this Bill was drafted by the Ministry of Justice.

Kevin Wilson from time to time offers me advice and insight that his expertise affords him, and so I certainly in those early days, as all governments — we don't need to get into specific examples, although there are examples — all governments utilize legal advice and expertise. So the drafting was done by the Ministry of Justice, and Kevin Wilson again from time to time offers advice and insight based on his experience.

The second question, we will have some information and documentation to you shortly regarding that 1999 SUN strike.

Mr. Iwanchuk: — Okay. Thank you very much for that. Perhaps just to . . . And I know Mr. Wilson and he's a practitioner who has done some negotiation in the field as well, so it was nothing . . . We're just attempting to clarify his involvement in this. So now you talked about that he gives you advice, but was he . . . Now he has been, it has come forward that he has been paid money. How much of that was particularly for advice on essential services legislation?

Hon. Mr. Norris: — And certainly we've addressed the financial element of Mr. Wilson's work through other questions. It would be difficult to break down the specific advice offered just simply on this Bill. He offered advice on both Bills as we move forward.

Mr. Iwanchuk: — Now just back to the drafting, who drafted the very first draft? Who put down the ideas for the essential services legislation? And where was that done?

Hon. Mr. Norris: — If you're looking for an exact name, I don't know the exact name of the individual that would have drafted the initial draft. The reference that I have is through the Ministry of Justice. And obviously they have multiple individuals that are capable of doing such work.

Mr. Iwanchuk: — I guess we're looking for . . . I mean obviously there's a, there's a direction. There's, you know, here is . . . It's a draft. Perhaps you could ask in the ministry who worked on that first draft, if you're saying it came from the

Ministry of Justice. Is that possible to do?

Hon. Mr. Norris: — I don't know if it's possible today, but we can certainly inquire. The minister, any minister in an early government doesn't take roll call, so to speak. There are a lot of things to do. But I mean we can look into it further.

Mr. Iwanchuk: — But I'm sure it wasn't just tossed out there. I mean somebody had to say, this group or this person will work on this and bring it back.

Hon. Mr. Norris: — I guess again, the reference that I have is the Ministry of Justice. But you know, I'm not certain of the nature of your question actually.

Mr. Iwanchuk: — We've just trying to determine where . . . We've been asking questions about when you determined you needed the legislation, with who drafted it, so . . . And you've answered some of those generally. Then we just want to see, you know, where this started.

Hon. Mr. Norris: — Well I think . . . Let me be frank here. I think there's also an element of ministerial accountability. I mean, if where you're going in any way would jeopardize individuals working within any ministry, either in Justice or within this ministry, the answer, the answer is, if you're looking for a name, I can't figure out the significance of this.

And frankly, based on our parliamentary traditions, I would have questions about that because it actually . . . I'm the one responsible as minister for this legislation coming forward. We've drilled down quite significantly into the anatomy of this legislation. And I guess the time for me is to pose the question, to what end, to what purpose because the officials that we have, both within our ministry and the Ministry of Justice, need to know that they have the full support of the ministers. So the last thing we want to do — and I don't know what your intention is . . .

Mr. Iwanchuk: — Yes, not to, not to get defensive. We're not on some witch hunt here or something . . .

Hon. Mr. Norris: — Well I hope not.

Mr. Iwanchuk: — Well no. And I would hope that you wouldn't think that. I mean, in terms of what we're trying to find out is, somebody gave direction. There are certain individuals that work on that. That's simply the question. I mean we're just trying to determine where this started, just in terms of getting some procedure.

And I would hope that you would not consider that we were on some sort of witch hunt. People are public servants and are directed by ministers continuously to do other things. That's why they're professional public civil servants. And I would, you know, certainly I would hope you wouldn't think that we were trying to do that. But . . .

Hon. Mr. Norris: — No. I appreciate your reassurance. I just . . .

Mr. Iwanchuk: — But if you could get back to us on that. There's no . . .

Hon. Mr. Norris: — Well I mean, the question, the question if you're looking for direction, is that the direction came from my office and the direction came in consultation with Executive Council, and it was done with the work primarily focused on the Ministry of Justice. I mean that . . . And I agree with you. I mean I'll take you as your word. You're not trying to get down to individual officials. Then I believe I've just answered your question.

The Chair: — Committee members, it's 4 o'clock. We will take a five-minute recess. I had indicated earlier that we'd give the opposition members some time to look at the amendments. I think we will do that now.

Mr. Iwanchuk: — Mr. Chair, if I could ask that maybe make that 10. That would give us a chance to look at this and review, if that would be . . . We would, in that time . . . 10, 10 minutes to review the documents.

The Chair: — Are committee members in agreement with a 10-minute recess?

Mr. LeClerc: — As long as it counts as part of the committee time.

The Chair: — It's been agreed that it will count as time by all committee members. I see no member objecting to that. This committee stands recessed for 10 minutes.

[The committee recessed for a period of time.]

The Chair: — I'll call the committee back to order. Thank you, committee members. We will resume our consideration of Bill No. 5. The Chair recognizes Ms. Junor.

Ms. Junor: — When I heard my colleague from Fairview asking questions about how legislation is prepared, I sat on legislative instruments for nine years. So I'm interested if legislative instruments still exists as a process for government. And if so then when did the draft first appear before LIC [legislative instruments committee]?

Hon. Mr. Norris: — Being new to the legislature, you'll forgive me as you, if I understood correctly — and I may get you to expand on it — legislative instruments committee is not something I'm familiar with because I was not here prior to the last government or last election, and obviously we have a different process and again that's part of a new mandate, part of a new government. And so any reference that you're making to the legislative instruments committee — if I've got the name correct — I'm afraid it doesn't serve as a very useful reference for me to respond. So maybe you can help inform me, what, what that committee did, or perhaps we can have your question rephrased.

Ms. Junor: — Certainly I can. I'm sure your deputy would recognize LIC quite clearly, because she's appeared before it many times. Legislative instruments committee is where all legislation appeared before a government committee and was brought by the officials, or the department that was presenting the legislation, and it was a government committee where cabinet ministers sat on the committee as did backbenchers and reviewed in detail every piece of legislation that came before,

that came before the legislative instruments committee, then went on to cabinet, then went on to either become legislation or not.

So my question was, if you don't have legislative instruments, then you must have a similar process to review legislation, I would assume. I don't think legislation can actually be just plopped into the legislature. So my question is then, when did it first appear before whatever committee you have now scrutinizing legislation? And did Justice bring it forward or did your Labour department?

Hon. Mr. Norris: — First of all, again I appreciate the question. It's also, it's helpful as a political scientist, it's helpful to have insights about decision-making processes from other governments. These are, these are useful comparative illustrations as far as an old instrument of the NDP. So I thank you for illuminating and enlightening me about part of the legislative process under the former government.

If I understand your question, if I interpret it correctly, that is: did the legislation have cabinet approval? And the answer is yes it did; of course it did. And if that's not the nature of your question, then again, I guess, I'll ask you to reframe your question.

And one final point, a bit of a footnote but a significant one especially for those on this end of the table, and that is the Ministry of Advanced Education, Employment and Labour is quite a comprehensive ministry and extends out beyond the purview of simply looking at labour.

As I highlighted in the speech, we focus on ensuring that we have more people coming to our province. We've seen some remarkable successes regarding productivity and immigration — 48 per cent increase from January to March. So we're making some progress there. We focus on skills training, and education, people of Saskatchewan — 5,500 new training spots minimum within the recent budget. And obviously today we're focusing on these Bills.

So as I say, I know it was an aside but the significance is that we're not just dealing with new processes and procedures for the purpose of creating and enacting legislation. We're actually working from significantly different platforms in this instance. We call them ministries. And this is an important element, but just one element, of our broader ministry.

Ms. Junor: — That was less than useful. But I will go back and ask, if you don't have legislative instruments . . . which I understand since it was a vehicle that the NDP put in place. And it was from our point of view a vehicle to oversee legislation. So there was some detailed scrutiny of all pieces of legislation before it went to cabinet. So it came to the legislative instruments, it went back to the departments, and it had detailed scrutiny by a group of ministers and elected officials, elected members.

And my question was not about whether it had cabinet approval. My question was to the process. Because when we did this, when we as government had legislation come before us in our vehicle of scrutiny, we then had officials present that legislation to us, explain it to us. Then we got to ask questions

of it and send it back for whatever tweaking it needed. I'm assuming that you have some sort of process that equals that oversight. And if you don't, well fine; say so. But I don't think the mandate of your department is an answer to anywhere near my question.

I appreciate you're skating on this because I don't think you understand the process of how legislation is put through. You mentioned that to my colleague that we didn't understand. We understand clearly. I sat on legislative instruments and so did Mr. Yates and so did Ms. Morin. So we understand how legislation comes through the process and so do most of your officials.

But I wanted to know, my question was, when did the draft first appear before any oversight committee? If there is none, you say so. And then did Justice bring it to that oversight committee or did your department?

Hon. Mr. Norris: — While I certainly appreciate the clarification of the question . . . And I think your reference points of a bygone era actually reflect some of the assumptions of your question. The mechanism that's in place in reference to this Bill, as we focus on it, I've addressed the question. The Bill was drafted by the Ministry of Justice in consultation with this ministry and Executive Council. It was given cabinet approval.

And as far as further illuminating internal processes of the new government for purposes of creating and moving forward on legislation I would simply say that the functions of executive government within the parliamentary system remain the functions of executive government. And I find the question at best curious. In fact it leads to another question — to what end?

We're dealing with the piece of legislation that you have before you. We've presented the amendments. This is the parliamentary system where obviously there's a fusion between the legislative and executive branches. One of your fellow members offered an initial analysis of the roles of legislators. He offered a kind of stark contrast between a delegate model and a trustee model. There are other models. And any further reference to the executive functions of government, I would simply say that those executive functions of government are summarized, as I say to you, that it was approved by cabinet.

Ms. Junor: — Thank you. It's interesting the minister has categorized scrutiny as a bygone era. That's disappointing to say the least. But the purpose of my question . . . [inaudible interjection] . . . Excuse me, excuse me. You can talk when your turn is.

The scrutiny being in the bygone era I said is interesting. But my purpose of my question was to find out when we first saw the, when you first saw the draft as government. You have attempted to answer, and I know speaking slowly has not clarified the issue any more than anything else you've said. So I will pass my opportunities for questions on to my colleagues and certainly I'll have many more over the hours to come.

The Chair: — The Chair recognizes Ms. Morin.

Ms. Morin: — Thank you, Mr. Chair. Getting back to your opening remarks, Mr. Norris, you talk about the elements of

consultation with respect to this legislation. You said that there is 84 stakeholder invitations, 20 meetings were held, and 50 groups or individuals responded to the website. Can you provide a list to the committee of the invitations that were sent out and the meetings that were held and any of the feedback you got from any of those submissions?

Hon. Mr. Norris: — We can certainly provide, and if tomorrow is an appropriate timeline as far as the list of stakeholders and some of the other information that's been requested.

On the notion of offering some of the details of submissions, I think what we've seen is that those stakeholders that wanted to offer public submissions, they've certainly had opportunities to do that and it's helped to enrich the public dialogue and debate over this. There are other groups and organizations that acted on the premise of their own privacy. And so we left it up to individual stakeholders and we will leave it up to individual stakeholders whether they would like to have, for the public record, their submissions. But that's not something that we will be moving forward on. The other information we will have for you tomorrow.

Ms. Morin: — Thanks for that, Mr. Minister. But you can probably understand some of the angst that's in the public right now about who's been invited, who hasn't been invited, what submissions were made, what was potentially said in those submissions, because there is no such thing as public consultation, broad public consultation. So if, you know, you have to understand why that angst is out there when you're saying, for instance, that people can make submissions based on anonymity.

Well that doesn't do anything to allay the fears of the public as to who's been invited and what's been said and whether all the scope of the discussions that should have taken place around this legislation actually have been taking place. So I would ask the minister to reconsider that decision and perhaps submit those tomorrow with the other materials that he said he's going to submit tomorrow.

You also mention it was made clear in the campaign document which you provided to us that the Sask Party has always intended to introduce essential services legislation. Is that in fact what you meant?

Hon. Mr. Norris: — Is that a question . . .

Ms. Morin: — That is a question.

Hon. Mr. Norris: — You'd like me to respond to. The phrasing is quite . . . [inaudible] . . . to ensure essential services are in place. And so within the Canadian context, as I've highlighted, the way to do that is actually through legislation. The curious element here is that while the previous government had opportunities to move forward on essential service legislation, it chose — and I'll borrow from the member from Saskatoon Meewasin speaking recently in the House — it chose to select back-to-work legislation than contemplating essential service legislation.

So within the context of Canada ensuring essential services,

that's done on a legislative basis across the country, as I say with two notable exceptions. One we have the capacity to control, and that is what goes on within Saskatchewan. And the other exception being that is Nova Scotia.

Ms. Morin: — Thank you, Mr. Norris, Minister Norris. That's not quite answering my question. As a matter of fact, it wasn't answering it at all. What I'm simply looking for is a yes or no answer as to whether or not the intention of the Sask Party going to this last election was to introduce essential services legislation. By what you have in your campaign document, because the campaign document is less than clear, when it states protecting public safety . . . I quote:

Protecting public safety by working together with the province's public sector unions to ensure essential services are in place in the event of a strike or labour action

Is a far cry from saying, we are going to introduce essential services legislation. So was that the intent of the Sask Party going into the election — to introduce essential services legislation upon its potential election — yes or no?

Hon. Mr. Norris: — Well I think the question actually has some nuance to it and so rather than being boxed in artificially into a yes or no response — something we might even refer to as sophomoric in its premise — I would simply go back to the "Saskatchewan opposition pushes for essential-services law." That is January '07. "Brad Wall, leader of the Saskatchewan Party, said it's preposterous that Saskatchewan doesn't have essential-services legislation . . ." to ensure public safety in the event of a work stoppage. I'll use the term, probably that offered an opportunity for foreshadowing.

That is in *The Globe and Mail*, a nationally respected and very well read paper. The then leader of the official opposition, now Premier of Saskatchewan, made it very clear that obviously it was problematic that Saskatchewan did not have essential service legislation.

The reference to the platform document or the campaign document in reference to ensuring essential services, if you want . . . And again I won't for the record, but certainly the effect of the CUPE strike on Saskatchewan people — hundreds of people affected negatively, access to care especially for kids hindered, animals euthanized, the essential services dialogue, debate, discussion going on after the labour dispute was already in order and spilling on to the pages of the media — I think this allows us to say in perhaps and ideally a more complete way than simply yes and no, to turn and say, obviously the contemplation and expectation goes back to last January when the people of this province were confronted with a very real threat when 450 snowplow operators, and I'll quote from *The Globe and Mail* article, "went on strike."

At the time many people were concerned that snowy roads could lead to an increase in accidents, with the added pressure of a fierce blizzard approaching. It's only under those conditions that a deal began to be worked out. So the easy answer is, did it suddenly appear out of the blue? No, it didn't. It actually emerges in a very organic way from the history, the recent history of Saskatchewan.

Ms. Morin: — Well, Mr. Minister, I'm wondering if you have anything factual to offer other than the editorials from *The Globe and Mail* and the other rhetoric that you've brought forward so far . . . [inaudible interjection] . . . Because we are in committee, and I have the floor right now, Mr. Minister, okay? Because we are in committee, we would hope that we would be getting honest, factual, straight answers, not editorials from *The Globe and Mail* or elsewhere.

I do have some editorials that I would love to read into the record as well which I'd be more than happy to offer to you . . .

Hon. Mr. Hickie: — Point of order.

Ms. Morin: — But since . . .

The Chair: — The member, Minister Hickie has raised a point of order. Would you care to explain your point of order?

Hon. Mr. Hickie: — Absolutely, Mr. Chair. I believe that the article that's referenced here that *The Globe and Mail* is not an editorial by any means. It's by a very informed reporter who actually took the words, quoting from our now Premier, the leader of the opposition at the time. So to have references in an editorial means it's a piece of work in a paper that's based on opinion. These are factual comments made by our Premier now as to what built the premise for what I believe at the time when there was a SGEU strike causing a lot of angst — using the member's word — in the community with the public safety in mind. So point of order's based on her reference to an editorial, which it is not.

The Chair: — Mr. Yates.

Mr. Yates: — Thank you very much, Mr. Speaker. I'd like to respond to the point of order. The rules of this Assembly would also apply to committees, Mr. Speaker. The member is asking a question, making reference to an article which members are referring to as being a direct quote. If they actually read the article, it isn't all a direct quote. There is a portion of it which is a direct quote, but there's been references made to portions of the article outside the direct quote, which is a reporter's version or representation of what was said.

So the article in its entirety has been used and talked about in its references, so it's quite appropriate for somebody to, a member to question the authenticity of or editorializing that particular article, Mr. Chair, because it isn't all a direct quote and it's being used in its entirety in this reference during this meeting.

The Chair: — I find that the point of order was not well taken. The article has been presented to all committee members. It has been the subject of debate here this afternoon and I would ask that the consideration of the Bill continue.

Ms. Morin: — Thank you, Mr. Chair. So moving on to that point, given that the minister is not making a firm commitment yes or no as to whether the Sask Party's intentions were to introduce essential services legislation at the time that this unclear statement was made in the platform document, I'd like to maybe jog your memory on a few things. And perhaps you can then let me know when it was that the Sask Party decided to introduce essential services legislation.

So for instance on July 12, 2007 we have a quote from the *Leader-Post*, quote:

"We would certainly take steps to have both parties put together essential service agreements," said Elwin Hermanson speaking for the Sask. Party at the legislature.

Hermanson said the deals would have to be negotiated and he doesn't think legislation is required.

On Thursday, June 28, 2007, we have a quote from the *Leader-Post* as well: "Sask. Party health critic Don McMorris also said an agreement around essential services should be forged between the parties without having to legislate the matter."

On September 22, 2007, just less than a month before the election was called. There's another article in the *Leader-Post*:

"There's some services that must continue to be provided, period. I don't know which services that the cancer agency provides that are optional," added Wall, who contended legislation wouldn't necessarily be required to set out essential services.

On October 1, 2007, we have the Health critic at the time, Don McMorris quoting, "No, it needs to be negotiated. It needs to be put in the contract, negotiated into the contract." McMorris goes on to say:

While I'm quite confident that it can be negotiated, I don't think we need to get to legislation. I don't think we need to go there at all. You know, you look back regarding Saskatchewan Union of Nurses have had essential service agreements in place. The government then legislated them back and it really hasn't been successful in any of the relationships going forward. I think that there is lots of things that we can do through the negotiation process to ensure that the needs of the people of Saskatchewan are met.

So we have nothing but quote after quote after quote from the current Premier, from the past leader, from the current Minister of Health, saying that essential services legislation is not needed, up to October 1 which was a mere nine days before the election was called.

Now you say there's evidence that essential services legislation was contemplated all along because of this quote in the platform document, being, "Protecting public safety by working together with the province's public sector unions to ensure essential services are in place in the event of a strike or labour action."

Can you see perhaps, Mr. Minister, why people would have thought that that clause in the Sask Party platform would mean that the Sask Party is working together on essential services agreements in contract negotiations versus having essential services legislation rammed through without public consultation?

So can you now tell me, since I perhaps jogged your memory, when it was that the Sask Party decided to table essential

services legislation without public consultation?

Hon. Mr. Norris: — I appreciate the question. I think some of the language is probably overly dramatic, the motive in its nature. I think what you've highlighted is certainly the majority of the statements. When we go back to *The Globe and Mail*, we go to the campaign platform, even some of those that have been offered — and I'd be happy to get copies of those so I can check the language, but just based on the rough reading that's just been offered, certainly not comprehensive but initial, maybe even breezy — it's to turn and say that legislation was an option.

Legislation was an option. And the, I think, elements that came together in and around and resulting from the CUPE strike brought the issue of public safety into very clear focus. And so could we have been clearer in communicating? Yes, we could have been, as is sometimes the case with the official opposition. I'm sure some days you may feel like that. But it was an option going back since last January. As I say, even some of the initial comments, quips, and quotes offered by the member are far from categoric. The CUPE strike helped to highlight the significance — if you want, highlight the gap — that the people of this province suffer from inexplicably, inexplicably . . . It was the last government. And again I'll make reference to the member from Meewasin's statements where he turns and says:

You know, about essential services, we've had back-to-work legislation in the province of Saskatchewan. It's been brought in by the Conservative governments. It's been brought in by the Liberal governments. It's been brought in by New Democratic Party governments. Sometimes services are deemed to be essential, Mr. Speaker. They are essential, and they have to be performed, and they cannot not be performed because there is a work stoppage or there is a labour disagreement at the time. That's almost not a debatable principle, Mr. Speaker.

He goes on:

I think what we see here is the instrument, public policy instrument. The legislation is completely consistent and in keeping with the norm in Canada for other provinces.

The key focus here is actually about ensuring that indeed it's not a sledgehammer — I borrow that quote from the member from Regina Coronation Park who recently was speaking — not a sledgehammer, which back-to-work legislation can on occasion be. Not always, but can on occasion be. This is an instrument that allows us to set a stage.

I'll go back to my opening remarks; it's an enabling document. The goal of this legislation is to build upon the very best practices that are already under way within the province. That is when the two parties — when the bargaining unit and the employer — come together and ensure that essential services are in place. But we have examples, we have examples from the recent CUPE strike: "Health care denied"; "Kids can't get care"; "Parameters not set"; "Labour disruption already under way." Essential service discussions then occur. And there were efforts that had been taken to ensure that that issue was cleared up before, and they were not acted on.

The SGEU strike . . . people poorly prepared. And again my colleague from Prince Albert can speak to this: poorly prepared for their own safety and public safety, having to look after the safety and security of prisons. The Health Sciences Association of Saskatchewan strike, 2002 . . . chemotherapy, those suffering from cancer affected because essential services legislation not in place. And then we can go back to 1999.

The key element here is this legislation is meant to enable, ensure, and satisfy the needs of the people of Saskatchewan regarding public safety and security and, through its moderation, maintain the respect and right of unions to strike. It's moderate. It's consistent with what goes on across Canada and the people of this province have been aware that legislation has been an option for well over a year now. The recent CUPE strike helped to highlight the significance of moving forward on that. Thank you, Mr. Chair.

Ms. Morin: — Well I can assure the minister that these are not simply quips, but they are actually quotes. And, Mr. Minister, I won't need to give you my notes because, as you'll notice, I always said where the quote came from, what date it came from, so I'm sure your researchers can do the research.

I apologize for the last quote I made though with respect to the Health critic, Don McMorris. That quote actually came from a scrum, and I failed to mention that. So now that I've clarified that, what I have to say, Mr. Minister, is what I see here is nothing more than avoidance of answering a very simple question. So I guess I have a few questions I'll just ask in one large question.

Do you know when a decision was made?

The Chair: — Minister Hickie has raised a point of order, would you briefly state your point of order?

Hon. Mr. Hickie: — Would it be possible for us to get a copy of all those documents you refer to as was provided by Minister Morris's office for the other committee members? Can we get a copy of those for us, Mr. Chair?

The Chair: — I'll let the member answer that question.

Ms. Morin: — I would be glad to provide that tomorrow, given that my copies have my notes written all over them. But as I said, I'm sure there's caucus office researchers that have more than wonderful capabilities of looking at those articles and those particular dates in those particular newspapers. I know that our staff is very adept at doing that, and I would assume that yours would be as well. But I'd be glad to supply that for you tomorrow . . .

The Chair: — Order. Order. Order. I'll ask members to be recognized by the Chair before they speak.

Ms. Morin: — I'm not quite finished. So, Mr. Chair, as I've said, I'd be glad to supply those documents tomorrow since my notes have my handwritten . . . since my copies have my handwritten notes on them.

The Chair: — Thank you, Ms. Morin. We will look forward to copies as you've committed to do.

Ms. Morin: — Thank you. So as I said, Mr. Minister, so what I see here so far is simply the fact that you either don't know when that decision was made or that you simply don't want to say when that decision was made or whether the decision was made at a point in time prior to the election and there are . . . Therefore we want to hide the truth from telling us when that decision was made because clearly that would've been something that should've then been elucidated during the election campaign.

But as I said I have not yet gotten a straight answer to my question. It was a yes or no question, Mr. Minister. There are people that are watching this right now, that will be very interested in the fact that you've not been able to answer the question despite the fact that I've asked it a number of times.

I'll now move on to my colleague, Kevin Yates, who has some further . . . or I'm sorry, Mr. Iwanchuk, who has some further questions.

The Chair: — The Chair recognizes Mr. Iwanchuk.

Mr. Iwanchuk: — Just in terms of listening and to add on to the other member's questions, it is interesting when the minister digresses into what sounds like sensationalist comments, and then takes it upon himself to talk about our nuances and all the rest in terms of our questions. In fact I would think it's inflammatory, sir, in terms of what you have been saying about children, it being put at risk.

We are here to ask you questions about legislation. I have said to you on numerous occasions that this party is as much concerned about the health and welfare of Saskatchewan people, and you do not hold any kind of priority over that issue. And I just want to point that out to you. So if you talk about nuances and that, your answers in terms of going back there somehow that we are not concerned or that these people who serve us . . . And sir, you, I'm not certain whether you've worked in a medical facility, but these people, what you are saying — sending the message to them — is that somehow you, sir, have said to them that they do not care. And I find that inflammatory. I find that inflammatory for you saying that because you are suggesting that somehow in all of these cases that the reason that you brought in legislation is that the people of this province have been suffering, and I would tell you . . .

The Chair: — Order. Order. Order. I would ask that the members put their questions and comments to the Chair.

Mr. Iwanchuk: — Well okay. Now we have talked about essential services, and you have talked about ordering back to work. We will have questions for you on that. We will have questions about the models because we choose a model because we listen to people and they say that we have all agreed that we can . . .

The Chair: — Order. Order. Mr. Iwanchuk, I would ask that you put your comments through the Chair please.

Mr. Iwanchuk: — I would like two questions, two questions then, sir. One is, when will we have the Saskatchewan Union of Nurses and the answer to that question that we asked earlier? Because they said that we'd get back, in terms of '99, in terms

of what unit and what location that this was there. And I would also like to know which labour organizations supported this legislation, which labour organizations this minister contacted, which labour organization this government contacted, which labour organization this opposition contacted in order for them to allow them to have this drafting of this legislation started and in fact even agreed to. Where were the reasons for this?

And we have been asking those questions — and I'm sorry for the frustration — but we have been asking those questions and all we hear about are people not being served, about children not being done that. And I would tell that minister that he does not hold priority in this area, that everybody in Saskatchewan is concerned about that. So if he wants to do that tone . . . and I apologize for mine, but I would not sit here and listen to that all afternoon, that somehow he has cornered the market on public safety in Saskatchewan. I'm sorry.

The Chair: — Minister Norris.

Hon. Mr. Norris: — In that barrage, in that comment I think maybe there are some elements of a couple of questions. I think what we said is tomorrow, if appropriate, we will offer an outline. I think it's a framework, if we could best describe it as that, as far as groups that we contacted, groups that we had feedback from. Not very controversial at all, really, just a matter of point. If tomorrow is a reasonable time frame then, Mr. Chair, we can do that. The question, and I . . .

It actually gives me a great sense of relief actually — it's relief — that notions of public safety and security are shared. I'm not surprised. You know it leads to a question. It leads to a question of course, and it's a question that's not new. I've been posing it for awhile in the House. And it's a question that, given the heartfelt, emotive sentiments offered by the member — and he may not be able to answer today, but one day on the public record, I think he will — and that is, given that heartfelt commitment, will he and his colleagues be supporting and in fact applauding essential service legislation for the people of Saskatchewan?

You know, Mr. Chair, if I may, during a recent round table . . . And I've tried to, I've tried to ensure a sense of balance and fairness. I recently went to the CUPE convention, took a number of very public questions regarding essential service legislation. I've gone to an NSBA [North Saskatoon Business Association] event, and the member was there. And you know I found it very interesting that one of the key public questions came from an individual representing an institution that turned and asked not, not about the roots of the legislation, not about who drafted it — in a very curious frame of questions — but if simply her institution could be covered by this because she helps to look after people in need in Saskatchewan.

And so, Mr. Speaker, it's a bit of a rhetorical question at this point. But it is something I hope that the members of this committee will reflect on. And will they actually be supporting essential service legislation for the people of Saskatchewan?

The Chair: — The Chair recognizes Mr. Iwanchuk.

Mr. Iwanchuk: — Yes, one of my other questions was which labour organizations that have you gotten support from prior, in

terms of consultations and in terms of drafting or that you spoke to that said this would be good to bring forward?

Hon. Mr. Norris: — Yes, I guess a similar question came up at the CUPE convention so I'm, you know, familiar with the question. The question ultimately has its roots on what external stakeholders were involved in those early deliberations and drafting. And the answer is, that was an internal activity.

What we said was — and we were quite clear on this — we would table the legislation. We would come forward with it. We did that in the fall session. We said obviously that there was a need for consultations and all this, you know, to keep in mind that the election was in early November.

The timeline moving forward, we came out of the gate the quickest in Saskatchewan's history as far as moving into the legislature. So it's not that we were in any way taking additional time. We got right down to work. We rolled up our sleeves. And so the easy answer is that, the process of drafting was an internal process.

The consultations with external stakeholders took place after. And I'll just reiterate, the stakeholders are the ones within a free, democratic, and pluralistic society within which we live, have made their own decisions. Some have gone to significant lengths to ensure that their views are known publicly. Others took a more private tone, a confidential tone, and we respect both approaches or avenues as we move forward.

The question, I think, was rooted in again the external stakeholders that were involved or had commented on the drafting. And, Mr. Chair, I just want to reiterate, this was an internal process and the comments, quite well known by most, of very specific . . . And I guess to expand beyond this. You know I want to reiterate, the feedback was from right across the policy community. It wasn't just focused on getting feedback from one specific side or entity. We received feedback from right across.

So when you ask about labour, the consultations took place after the Bill was tabled. Many of those groups have made their views known. But that's just one element, one segment, one component, one piece of a broad continuum of views that reflects a very healthy, pluralistic civil society within which Saskatchewan is well known. And as a result, what we see is that some of those organizations, entities, and individuals have made their views public, and others submitted or spoke with a degree of trust, confidentiality. And I respect all of the processes that have been used.

Mr. Hart: — Committee members, we have come to the end of our time for . . . [inaudible] . . . Ms. Morin has a point of order.

Ms. Morin: — Well sort of. I'm just very pleased that our capable, competent, and qualified caucus staff was able to make those copies of those quotes that I made here today. So I'm able to table those with the committee today.

The Chair: — We'll have the Clerk distribute those. What I was going to say is that we've come to the end of our time for consideration of Bill 5. We will recess as is put out in our agenda, and we will reconvene at 6 o'clock.

[The committee recessed for a period of time.]

The Chair: — Committee members, it is now 6 o'clock and we will start with the consideration of Bill No. 6, The Trade Union Amendment Act. This Act was just referred to this committee, I believe, yesterday by the Assembly. So I will provide committee members with an opportunity to make general statements and comments at this time. I see no members requesting that. We will go directly to . . .

Mr. Iwanchuk: — Yes. I would like to do that.

The Chair: — Oh Mr. Iwanchuk. I recognize Mr. Iwanchuk.

Mr. Iwanchuk: — Just a statement again, in terms of that we are glad for this opportunity to be able to be in committee. We are however disappointed that the government has not saw fit to hold broader consultations and public hearings. And I guess just to also add that whenever you go and go to change legislation like this that it at least . . . that this political party on this side, the NDP, have always believed in broad and extensive consultations and in the consultation process with both stakeholders and the public.

And the legislative changes — I just want to put this on the record — are complex. And they impact the daily lives of a good number of people, employers and workers who contribute to the economic health of our province. They've all established, Mr. Chair, relationships, and we should be careful when we go there to try and change these relationships.

And I would just want to mention that in the days of the Romanow government where committees were set up and committees were set up to deal with Trade Union Act changes . . . And then in fact then, that committee presented a report. There was another committee struck by some people who in fact are present with us today to further talk about these amendments.

But before my question, I just, to the minister, I just have to ask this if in fact he is so afraid of the Premier's office that he can't string a coherent sentence at a normal speed of speech. So I'd just like to ask that. But before my first question as well . . . And I was just wondering for him, is who raised these issues with you regarding The Trade Union Act that your government . . .

The Chair: — Order. Order. Mr. Iwanchuk, you'll have the opportunity to ask those questions to the minister once we recognize the minister. Seeing no other members wishing to make a general statement . . . Mr. LeClerc.

Mr. LeClerc: — Just a point of order. I'm just not sure insulting the minister about, you know, his speaking speed is going to serve any valid purpose for these hearings, and taking this insulting tone and this little pot shots. And I don't think it's doing any good whatsoever as to our image as parliamentarians, as we begin to review important pieces of legislation. I find them insulting. I find them belittling and, Mr. Chair, I think they ought to stop, quite frankly. The minister has answered his questions quite respectfully, in good parliamentary language. He has not made personal insults. And I see it starting on the other side. And as a point of order, I don't think that this ought

to be proceeding in that type of manner.

The Chair: — I recognize Ms. Junor.

Ms. Junor: — Further to that comment, Mr. Chair, I think there has been many incidences in this last, if we review *Hansard*, in the two and a half hours we just spent where I personally was insulted by some of the things the minister said, about we couldn't understand it and perhaps I'd have to be slower and I'd have to reiterate it. So I was insulted as well. So I think if we're going to talk about being respectful, then I would advise the minister to do the same because if we review *Hansard* there was many, many, many references to what we could or couldn't understand from this side, and I think we both have something to talk about if we're going to talk about respect.

The Chair: — I would like to remind all members, committee members and other elected members who have been participating in the committee proceedings, to be respectful of one another, to make their comments pertaining to the Bill before us and to certainly not make person comments. I would ask all committee members and other elected representatives to co-operate in that manner and be respectful of one another. Seeing no other general comments . . . Mr. Broten.

Mr. Broten: — Thank you, Mr. Chair, and I do appreciate your comments about keeping our language and our tone in a way that is fitting of the legislature that we serve in.

On the member from Saskatoon Fairview, his comments, I believe the intent and the question behind the point that was raised by the member was not so much about allowing a member adequate time to form one's thoughts, but more about possible problems that we would see on this side if a member is deliberately speaking at a speed and a rate that would either prolong and eat up time and prevent future dialogue and adopting a strategy of a slow reply as a means to stifle the debate that might occur over the coming hours.

The Chair: — Thank you for those comments, Mr. Broten. Are there any other general comments? If not, we will proceed with the consideration of Bill No. 6, clause 1.

Bill No. 6 — The Trade Union Amendment Act, 2007

Clause 1

The Chair: — We have the minister with his officials. Minister, do you have any new officials with you at this time for Bill 6, and if so would you introduce any new officials that you might have?

Hon. Mr. Norris: — Thank you, Mr. Chair. I'm pleased to just simply say that once again Wynne Young is here, Mike Carr, Mary Ellen Wellsch, and Pat Parenteau from our ministry.

The Chair: — Minister, do you have an opening comment with regards to Bill 6?

Hon. Mr. Norris: — I do, thank you, Mr. Chair. I think as we all know Saskatchewan, having recently celebrated its centenary, is defined by both elements of continuity and change both at the state level and within our society. Where once we

were branded quite successfully as an agricultural province, today agriculture remains a dynamic element within our provincial community and economy, but that we recognize that we have an increasingly dynamic and diverse economic portfolio and increasingly dynamic and diverse community.

One of the elements of continuity is that Saskatchewan, again going back to a phrase and frame by the late Peter Gzowski, Saskatchewan is considered to be among the most Canadian of provinces. That is, if we look at this building, if we look at the flags flying outside of this building, we see there are proud traditions of democracy associated with the province of Saskatchewan.

As a government, we were elected and have an obvious sense of duty to the people of this province to govern responsibly. Our government believes in effective, practical, democratic government. Indeed one of the first commitments that was made related to fulfilling an election promise regarding election dates. We were elected on a platform of change that is about moving this province forward and sustaining our economic growth. As a government, we take this mandate very seriously, and we're working diligently to establish a fair and balanced labour environment in which democracy and freedom of information are an important indeed fundamental part of Saskatchewan workplaces.

As we focus on amendments to The Trade Union Act, I recently moved second reading of this. Obviously this evening and in the coming hours and days, we'll have an opportunity to reflect on the proposed amendments. Bill 6 reflects our belief in mandatory secret ballot certification votes and the right of employees to be fully informed of workplace issues. The amendments are about the fundamentals of both voice and choice, that is, ensuring that employees have the opportunity to be heard and an opportunity to exercise their right to join a union.

The amendments, though, are not to be misconstrued as favouring any one party. They provide benefits to both workers and employers and allow for a better, stronger relationship to develop. This is good for employers, for employees, and for the province as we continue on our path of economic growth and sustainability. The amendments to The Trade Union Act provide balance and promote co-operative, productive, and healthy work environments, while ensuring that Saskatchewan is competitive with other Canadian jurisdictions, especially those in Western Canada.

Before getting into some of the details, I just want to reiterate that it remains an unfair labour practice for the employer, any employer, to interfere with, restrain, intimidate, threaten, or coerce employees by communication or by any other means. That is, we're working to ensure that there is a true sense of fairness.

Regarding elements or components of the Act, let me speak now of some of the specifics. We are proposing amendments to section 6 of the Act to require a secret ballot vote before any union is certified as the bargaining agent for a group of employees. The amendment will also require that a union show 45 per cent support in the proposed bargaining unit before the Labour Relations Board orders a certification vote. As well,

secret ballots are a vital part of a democratic system. Our emphasis here is meant to ensure that workers have the right to consult their conscience before selecting their preference on a ballot.

Regarding amendments to section 10.1 and 10.2 concerning certification and decertification after an unfair labour practice, this amendment will also require 45 per cent threshold.

We are proposing amendments to section 11(1) of the Act which will clarify the right of employers to communicate with their employees. And this notion of communication is premised on responsible communication. Again this communication will not allow for interference or restraint, intimidation, threats, or coercion. We believe that an open, two-way communication paradigm can help both workers and employers make informed decisions.

We have also added to the Act with what we believe will be some additional changes that will benefit all. Section 12.1 has been added to impose a 90-day deadline on employers and unions for filing applications alleging an unfair labour practice. This will ensure that parties bring their concerns to the board in a timely manner.

Section 21.1 is added to impose a six-month deadline on the board to issue a decision following a hearing. If the decision is not issued in that time, either party can apply to the court for an order requiring that the board issue its decision. On this we heard from both employers and bargaining units during our consultation that they wanted more rapid decisions. Indeed what we've seen in recent years is a buildup and backlog of cases going back to 2004 and '05.

Also a key element relates to transparency — transparency in a fashion that we've acted to include within section 21.1 a requirement for the board to submit an annual report containing the details of cases heard, the time between filing of the application and hearing, and the time between the hearing and the issuing of decision.

We're also requiring details on each member of the board regarding the matters heard and the average length of time between a hearing and the rendering of a decision. We believe in greater transparency and obviously so do the people of Saskatchewan.

Finally we are proposing amendments to section 33 of the Act. Currently the length of a collective agreement is limited to three years. And while exceptions can and have been made, this is not effective. We need to ensure that Saskatchewan proceeds on this path of prosperity, that we can sustain our economic growth and share the benefits of this growth with the people of our province.

Our government is committed to ensuring Saskatchewan has legislation that is clear, effective, and sensible, Mr. Chair. And I believe that these legislative amendments, while they're both timely and appropriate for where Saskatchewan is going, they said nothing in the amendments, intrudes on the rights of either unions or employers, and the changes are rooted in long established democratic principles, principles that our province and country value and respect.

Thought I would just highlight elements of the consultations that have been undertaken. We introduced, obviously, this legislation in the fall, and we sought to hear what stakeholders and various members of the public had to say regarding the proposed amendments. These consultations took place during the winter and I have to say the consultation process was very productive.

The amendments within Bill 6 represent a new era of fairness in our province. As we strive for continued economic growth and to ensure that Saskatchewan is competitive within the Canadian context, we are confident that the proposed changes to Saskatchewan's labour legislation will help to ensure a secure and prosperous future for the people of this province.

The amendments are about ensuring that there are clear, thoughtful, and democratic processes in place that benefit both workers and employers. To borrow from his 1918 work, that of William Lyon Mackenzie King, very well-known prime minister obviously who did significant and substantive work regarding industrial and labour relations, he noted that "The existing attitude of capital and labour toward each other is too largely one of mistrust born of fear." "An industrial system characterized by antagonism, coercion and resistance must yield to a new order based on mutual confidence, real justice and constructive good-will."

There must be a vision of industrial relationships broader than that which seeks the exclusive advance of special interests. As a government we have chosen to do what is prudent for the people of this province and which will help the people of this province continue to enhance an agenda of security and prosperity.

Mr. Chair, fellow members of the legislature, I thank you for this opportunity to offer these introductory comments.

The Chair: — Committee members, I would like to inform you that Mr. Weekes is substituting as a voting member for Ms. Eagles. Mr. Iwanchuk.

Mr. Iwanchuk: — Thank you very much. In terms of this legislation coming forward, Mr. Chair, the question to the minister — because he has talked about democratic principles, co-operation — the question would be in terms of that because he has not, as I spoke earlier, gone out to the people. He might have someone that comes forward and says it's time to review The Trade Union Act. The response that I hear him saying is they immediately drafted legislation and said this will be it.

First question, are there further amendments to the Bill No. 6 that is before us?

The Chair: — The Chair recognizes the minister.

Hon. Mr. Norris: — I just want to confirm that that amendment is as stands.

Mr. Iwanchuk: — Okay. Thank you very much. As I was saying then, Mr. Chair, the issue then becomes . . . I mean we've had many reviews of The Trade Union Act, and perhaps we have a different outlook on what democracy might look like or what building stronger relationships that you spoke might

look like, but I want to ask, did you ever . . . First of all who, what brought this on, a review, and why did you not consider perhaps forming a committee because you speak of forming stronger relationships. Why did you proceed in the way that you proceeded? Or perhaps on whose advice that it was determined that you needed changes to The Trade Union Act? So probably two questions there.

Hon. Mr. Norris: — I certainly appreciate the question and happy to report that . . . The heading within the campaign platform, page 19, “A Fair and Balanced Labour Environment for Workers and Employers.” If the Chair will allow me, I’ll just read in for the public record.

A Saskatchewan Party government will establish a fair and balanced labour environment in Saskatchewan that respects the rights of workers and employers by:

[a] Ensuring a balanced labour environment in Saskatchewan that is fair to workers and employers and competitive with other Canadian jurisdictions;

[b] Respecting the right of labour and management to negotiate collective agreements, by removing legislative limits on the length of collective bargaining agreements.

We’ve dealt with the issue of essential services. We also said, and we’ll be moving on this shortly. Reviewing the Workers’ Compensation Board, we said:

Ensuring democratic workplaces by:

Requiring secret ballots on any vote to certify a union in a workplace and a 50% plus one result for successful certification; and

Ensuring freedom of information in the workplace during any unionization drive, by allowing unions and management the opportunity to fairly communicate with employees.

The purpose for reading this into the public record, Mr. Chair — and I appreciate the opportunity to do so — is to turn and say that the advice was provided by the people of Saskatchewan on November 7. This is part of our platform and part of an election outcome that offered a very clear indication from the people of this province on any number of issues contained within this document including again, I quote, “A Fair and Balanced Labour Environment for Workers and Employers.”

Mr. Iwanchuk: — Mr. Chair, I’m not sure that the minister answered the question. It’s well that you have it in your party platform. The question was who initiated that? Where did the idea come from? Which part of Saskatchewan — the residents that you say — came to you and said we need these changes?

Hon. Mr. Norris: — I appreciate the nature of the question. It actually, I think there’s an assumption under this that is very instructive for the people of this province, that is there are different models of governance, and one model is that the role of government is perhaps to do nothing more than simply receive feedback or input from special, narrow interests. That’s one version.

There’s another version that says — and this wasn’t highlighted the other night as one of the members actually did a reasonable job, one of the members of the NDP did a reasonable job of talking about a very significant substantive issue regarding representation — but there’s also a notion of having a mandate, a mandate premised and placed on a platform of fulfilling promises. And the key overriding objective in this model is looking at the public interest of the province.

So if you’re looking for an impetus, the impetus rests firmly within the realm of our government. That is, there is a perspective that was articulated and offered to the people of Saskatchewan, and that platform was premised on serving the public interest, and that is the source of us moving forward. That’s what we ran on. That’s what we were elected on.

And as I say, the question actually provides us an opportunity — and I’m happy to do it here or in another venue — to talk about some of the premises that underline different models of governance within Saskatchewan and within the parliamentary system.

Mr. Iwanchuk: — Well, Mr. Chair, with all due respect to the member from Biggar who said it was his idea, we’ve heard his comments in terms of his thoughts on unions and job killers and that, but we won’t go there.

What the question, what the question is, is that you have spoken about building strong relationships. This impacts on the people who are in unionized workplaces building those strong relationships, people who consider perhaps going joining unions. Was there any research done? Did you have any research papers done? Can you provide us with information on what research was done in terms of bringing forward these amendments that show that they would do what you have in fact stated that they would do, and why, so that there would be arguments placed that these are making workplaces stronger or building better relationships? In what way do the amendments you have here before us . . .

Because it’s what we’re hearing is that in fact that it is causing strife between the unionized sector or the unions and your government. And so what I would like to hear is how you’re fostering strong relationships in this province.

Hon. Mr. Norris: — Again I certainly appreciate the question. It’s a bit of a compound question. There are, there are some pieces within it, and I think maybe I’ll go to one. Again it was a little bit tangential, tangential, but I just want to go to this.

There was a reference — if I’ve heard correctly, and if I haven’t, please correct me — but there was a reference regarding that the legislation, the proposed amendments will affect union members. Did I hear that correctly? If I did, I just want to offer I hope what will be a helpful insight.

The effect of this legislation is actually going to be much broader than simply affecting those that may belong to a union or other type of bargaining unit. It actually is going to affect the province of Saskatchewan. And the reason for that is we can begin to see, for example, the Labour Relations Board having greater degrees of accountability. I think there is a pretty clear consensus that — actually from right across the policy

community — that quicker decisions were needed by the Labour Relations Board. I think the notion of having an annual report submitted to this legislature is going to affect the people of this province, that is, they're going to have increased information about a very important body in this province.

The notions of secret ballots. I think the effects and implications go well beyond simply those that happen to have or may seek certain membership. That is, it's part of a democratic ethos. So it's answering one element, but it's to turn and say that the implications are broader, and they're purposely broader. I think there's a transformative element to these amendments that extend well beyond one specific sector.

Regarding what I think is the core of your question — and again if I don't have this correct then forgive me, and we'll go at this again — but it seems to me the core is regarding relationships. Relationships as I understand them between bargaining units are fundamentally with employers. And while those associations or unions or bargaining units may from time to time, like any other entity in a pluralistic society, attempt to offer insight, advice, or affect outcomes, then they do that. And that's part of a pluralistic society, and we respect that. But the key element that we're talking about is actually a relationship. The nexus of that relationship is actually between the bargaining unit and employer. That's the relationship that we're focused on.

Your question regarding the relationship of bargaining units . . . And I'm assuming you wouldn't simply say bargaining units but any other kind of Act or agency, individual, with government, in a pluralistic society. We hope, we seek, we want to encourage and nurture opinions of all sorts that help to enrich and inform our public dialogue and debate.

So I guess on the core question regarding relationships, I guess again I question the premise of the question. The focus here is actually about empowerment and democratization, that individuals have an opportunity. And I think this is probably one of the key elements where you're speaking about, regarding secret ballot, that individuals are able to consult their conscience and have the opportunity to mark their preference with their own counsel.

Mr. Iwanchuk: — Just following up from that, now if I understood correctly what you're saying, there's a certain assumption, I think, that is being made here that there is something wrong with the bargaining units in terms of their relationships that you had to insert yourself in there. And my question is — and this is what has upset people — is that who did you talk to that you came to these conclusions and which bargaining units do not have this strong relationship that you felt that you had to bring forward these amendments to create, as you are saying, stronger relationships? And that's now getting to the core of my question.

Hon. Mr. Norris: — Yes, I think actually the impulse for intervention may rest with some around the table, but I think actually it's a notion of the role of government's fundamental question — quite a significant one — and there may be differences around the table and respectful differences. But in fact the relationship focus here is not premised on doing anything other than ensuring that individuals . . . And again

we'll go back to some of the specifics, and I think probably you're going towards the secret ballot provision. The element here is ensuring that individuals have an opportunity to consult their own conscience. And this is a key and fundamental element of democracy, especially as we practice it within this context. So maybe you can help. I mean, I think actually what we're doing is ensuring that the role of the state or the role of any other actor is actually clearly defined and confined.

Mr. Iwanchuk: — To follow up that, and this is interesting — the role of the state — what gives you the right to intervene without discussing and asking the players whether there in fact is anything wrong? So we ask the questions . . .

Hon. Mr. Norris: — That's a great question . . .

Mr. Iwanchuk: — Who came to you? Who's driving this agenda? Who came to you to say that the relationships in Saskatchewan have soured so much that you could — the state, as you said — could intervene in these relationships and feel you know better what is right without consulting the very groups it's going to impact? I would say to you that you are in fact souring relationships. And I would like an answer to this.

Hon. Mr. Norris: — Again I appreciate the question. Actually there is something really fundamental here. And you asked about the right, and I'm going to flip that around. It's actually a responsibility. It's a responsibility that comes with winning an election, with having campaigned on specific ideas. Again it's already part of the public record.

And to date having acted to fulfill 50 campaign promises, the notion that public policy, the notion that public policy is always . . . Sorry, Mr. Speaker, maybe there's some activity here that I should stop for.

The Chair: — Continue.

Hon. Mr. Norris: — The notion that specific interests or individuals would drive a legislative agenda, that's one theory of democratic practice and principle in governance. Probably a reference that'll be familiar with some around the table, we can turn to Tony Blair, where he ran in the '90s on a notion of, loosely paraphrased, a shifting from favouritism to fairness. And so there's an example of broad notions of justice.

So the account is one that comes with the mandate to govern. It comes premised on the platform and fulfilling our promises. It's written in our platform. And the compound question here — it's an assumption — is what guides public policy making? And that is the platform.

And then the second is, who or which specific groups or interests . . . This is premised on a different notion of governance — it's actually well established; there's lots of literature on it — and the notion is governing in the public interest.

And they are different models. You may be familiar with one more than the other, but I don't know that. It's certainly just . . . it's a frame of reference. There's no evasion here. It's to turn and say, there's a mandate. There's a platform. There are promises. We're keeping our word. We're moving forward.

We're building a more prosperous, sustainably prosperous Saskatchewan, and we're keeping our word on moving forward with amendments to The Trade Union Act.

There's one other point and I can't help but comment. And it's this notion that consultations were a norm under the previous NDP government. I think we can look at labour changes in both 2000 and 2005, and I think we see a very, very, you know, restricted notion of consultations that were undertaken by the NDP.

So we have gone forward with consultations. We did that after first reading, after it was tabled, and those consultations have been helpful. They've been fruitful. But the question again is premised on a much different notion of governance.

Mr. Iwanchuk: — Well obviously I would just . . . talking about that models and what I might or the literature on that is fine. I'm saying to you that you held consultations. One of the things that came out of there was a group saying that they want public hearings and consultations. You might discount them. As I said earlier, I think people who are in those relationships, in the bargaining units, are saying that they want more. You say we will do it just off our platform. We ask you where that came from, where was the research on that, you just talk about being elected.

I will tell you this: that democracy is alive when people are consulted. Your consultations, people are saying, are a sham. And that might fall under some model or some literature that you have read about and whatever, but to me it would seem that when you vote for parties, you vote for parties, but you also do not at that point in time say that we no longer listen to the people. You might want to govern that way, but I would tell you that that's probably not democracy anyways.

And in terms of the relationships that you're trying to build, I think people are saying to you, public consultations, public hearings. Now in terms of those people you can, as your leader has, write them off and call them union bosses or call them whatever you want. I would say to you that in terms of the people who are writing to us, calling us, in petitions or whatever else, that they are saying you are wrong. And you can; I guess it's your right not to listen, listen to those people.

But I think, I think I want to know who's driving this agenda. Was this just from literature that you have read, these changes that you felt that it would be? Who said that this would improve the working relationships out in Saskatchewan, because also the people who are working out there are driving this economy. You and I might contribute, but I would tell you that the working people, whether they're in unions or not, also contribute here. And to say that we would know what's best, surely the question of what research, of who suggested this, who drafted this — these are legitimate concerns that we have, and we simply are not getting answers.

We're getting the same answers about . . . we got elected. Well before you got elected, who said this was a good thing? Tell us. It's simple. Tell us. You know, here's who said . . . we met with these people. Here's the people we consulted. Here's the literature we read. This was good. You refuse to do that. You simply say, well we got elected. Or the member from Biggar,

smiling again says, you know, I said so. Well that's not good enough. And you wonder why we're asking these questions, because people are asking the questions.

Why is this better? We have worked in this area. We have done these things, and we don't think that that helps . . . [inaudible] . . . Why when they go to you and consult, in your consultations why did they walk out and say they want more? And there are questions from other stakeholders. Perhaps you're not hearing them, but we're hearing them . . . that say, how do you make these determinations that you're moving forward? What are you afraid of, we ask. What are you afraid of to bring it out to let the public have a look at it?

If you say we didn't do that under something, to return back to that and say, well you did this and we disagree and we think it's wrong and so now we're going to do that — you don't do that. I'm not certain you have a family, but I'm sure if you did, then you know just because somebody else did something wrong, well now we're going to do that.

Do you agree or do you not agree that democracy is alive when you consult people? That's the question. And if you did, who did you consult? Who's driving this agenda? Because in terms of the consultations you have done to date, people quite frankly . . . It isn't making the grade. It's just not making the grade. So that is why the questions are consistently about consultations and public hearings. What are you afraid of? Do you not believe that it is a basic tenet of democracy that if you put something up to the light of public scrutiny, that if it withstands that scrutiny do you not believe that you have better legislation?

Hon. Mr. Norris: — I'll begin by making clear my reference to your own previous track record, that of the previous government. It's to turn and say, we've actually improved upon your actions. And the consultations I'll come to. But the notion of fear, you know, part of the election campaign was actually moving away from a model of fear that we can turn towards a much brighter future, more predictable future. And people took hope over fear. People chose this. They chose the platform by quite a significant number.

The notion that people, as you refer to them . . . and I think the word you used was sham. That's a pretty strong word, a purposeful word. The consultations that occurred, again nearly 100 newspapers ads placed inviting members of the public or publics to have input. The issuing of 84 letters of invitation, meetings with 20 groups — either chaired by the deputy minister or myself — equalling nearly 100 people. While there was an array of opinion offered as you may expect in any consultations, I have to say I was very impressed without exception on the respectful tone, on the fruitful dialogue. And I think what this allows us to do is actually address this notion of fear because it actually allows us to address a fundamental element of responsible and representative government in Canada, and that is, it's a little bit rich. Ladies and gentlemen, it's a little bit rich.

To be here in a public committee in the legislature, having just won an election with a majority, having not only promised but delivered on over 50 of those promises and growing by the day, and to turn and say that this issue, which I look forward to actually getting into the substantive elements of the Bill . . . I

think that will be creative and constructive. This is important if the member feels it's important. But to turn and say that the legislative process does not provide or afford or even encourage an informed dialogue for all to see and draw their own conclusions on, I find very puzzling.

We've won the election. We have a platform. We're delivering on promises. We tabled the Bill. We moved forward with consultations. And now in a well-lit, televised room, we have dialogue, debate, and discussion regarding these Bills. And you know, I think the people of Saskatchewan will turn and say this is part of the democratic process. That's our position on democratic process. We're listening. We're moving forward with our platform, and we're serving the public interests of this province.

The Chair: — The Chair recognizes Ms. Atkinson.

Ms. Atkinson: — Minister, have you ever signed a union card?

Hon. Mr. Norris: — I think the key question here is . . .

Ms. Atkinson: — Yes or no.

Hon. Mr. Norris: — Have I been a member of a union or an association, and the answer is, I have been. On more than one occasion.

Ms. Atkinson: — No, that's not the question. The question is, have you ever signed a union card?

Hon. Mr. Norris: — As the member knows, the process is different in different workplaces and going through my employment history probably isn't a fruitful exercise. The answer to the question is, have I been involved with associations or unions? Yes I have been.

Ms. Atkinson: — No, that's not the question. The question is, have you ever signed a union card, meaning that people were organizing a workplace. You were in that workplace. You were asked to join the union by signing a union card. Have you ever signed a union card?

Hon. Mr. Norris: — Well you know, I guess what's curious here and perhaps not surprising is that different processes are used in different jurisdictions. And so my answer actually is as fruitful as any that can be generated by this question. So the answer is, yes I've belonged to associations and unions in the past.

Ms. Atkinson: — Across this country, people who decide to form a union are governed by some form of trade union Act or labour relations Act, and there's a process that one goes through to join a union. And when people begin to organize a union, they go to people who work in a particular workplace, and they ask them to sign union cards. And that determines how much support there is for the potential unionization of a workplace.

And so, Minister, when you talk about a question of conscience, is it your position that when people decide to sign a union card in an organizing drive that they are not following their conscience?

Hon. Mr. Norris: — Again there's a rich literature to this as well as various anecdotes. I guess I'm curious about the direction of the question because it is unilinear. I'm sure the same question comes regarding decertification. And really what we're talking about relates to the circumstances under which people ought to or ought not to participate in this specific activity. And even the most narrow of experiences or readings would afford one the opportunity throughout history to see examples where non-democratic processes have been utilized. So it's to turn and say, this is meant to ensure that poor behaviour — whether by individuals or organizations, industry, unions — is actually checked and it's checked by the conscience of an individual that has the opportunity to have a secret ballot.

Ms. Atkinson: — Can the minister describe under the present provisions of The Trade Union Act how unions, how workers, how employees go about forming a unionized workplace?

Hon. Mr. Norris: — You know I'm delighted to be able to turn this response over to a very highly respected individual that we're honoured to have join — and I'm sure you share in those sentiments — in ensuring that the public service is bolstered by the presence of Mike Carr. And, Mike, what I'll do is I'll ask you, in some detail . . . It seems to me that the member is seeking quite a detailed answer. And so in some detail, Mike, if you could simply spell out that technical process.

Mr. Carr: — Thank you, Mr. Minister. When an organizing campaign is active in a workplace, the trade union engaged in that undertaking will seek to solicit support for membership in its union by canvassing workers from that workplace; talking to them about what the union has to offer in terms of membership, in terms of benefit, in terms of opportunity; will then have that individual, if they're so inclined, sign a membership card. That canvass may carry on for a period of time.

And when the union is of a mind that they have a sufficient number of signed cards, they will then make application to the Saskatchewan Labour Relations Board and seek certification of that group of employees having them designated as an appropriate unit for the purpose of collective bargaining. That process can take a significant period of time as I mentioned. It can occur fairly quickly. It is really dependent upon what the will of the individuals are in that workplace and the ability of the union to obtain a sufficient number of membership cards to proceed.

Ms. Atkinson: — To the Chair, I'd ask the associate deputy minister if he has ever signed a union membership card in an organizing drive.

Mr. Carr: — The answer to that is yes.

Ms. Atkinson: — So through the Chair to the minister — and perhaps Mr. Carr can help illuminate the committee and the minister — when a union goes to the Labour Relations Board with cards, do unions generally go to the Labour Relations Board with a minority, or do they try and obtain a majority of cards, and under what circumstances would the Labour Relations Board order a vote by secret ballot?

Hon. Mr. Norris: — I appreciate the question, and obviously

this is one of the key elements of the provisions to change. The piece here relates to one of the changes, and I'll have this distinguished official respond.

But one of the anomalies — can I use that word, I think, that word of 25 per cent? — one of the anomalies across Canada is that Saskatchewan at present and for a short while yet, and it will change, was sitting at a 25 per cent threshold. And one of the changes is that we're going to move that up to 45 per cent. And so just for the record, that threshold puts us in reference to a norm in Western Canada. British Columbia is at 45 per cent. Alberta's at 40 per cent, Saskatchewan will be at 45 per cent, and Manitoba is at 40 per cent. We're going to be dealing with about a 5 per cent bandwidth as a result of the amendment. So it is to turn and say that part of this process that has just been inquired about has been one of the anomalies in Saskatchewan. Mr. Carr, I'll turn it back to you.

Mr. Carr: — Thank you, Minister. One of the situations again where a union brings application before the LRB [Labour Relations Board], there have been situations in my experience as a former member of the board where insufficient support was obtained, but the application proceeded, and the board ordered a vote. The outcome of that vote, quite frankly the history in Saskatchewan has been that the board has ordered votes infrequently. Most often unions have made application. They have demonstrated a majority support for the trade union, and no opportunity to vote has been granted. The Labour Relations Board has exercised its discretion to certify the bargaining unit.

Ms. Atkinson: — But to the minister, to his official or to the official through the minister, when unions apply to the Labour Relations Board for a certification of a bargaining unit, is it — and this should be based on research and I don't know if there's anyone from the Labour Relations Board that's here tonight, any staff, researchers — can the minister indicate on how many occasion unions apply for certification when they have received a 25 per cent threshold of support in the workplace?

Hon. Mr. Norris: — I certainly appreciate the question. We'll just confer on that.

Again I appreciate the question. We don't have the specific empirical reference, and I'll have Mr. Carr answer and respond in more detail, but the term would be infrequently, Mr. Chair, infrequently which I think actually speaks to the significance of what we're proposing. That is, you know, this is simply ensuring that where there were occasions — and there have been, where there were occasions, and there have been — that those are taken to what we might call a regional norm, again between 40 and 45 per cent. I'll ask Mr. Carr to comment further.

Mr. Carr: — Thank you, Minister. I can confirm that in my experience with the Labour Relations Board the number of applications brought by unions with 25 per cent support has been zero.

Ms. Atkinson: — Thank you. My final question for this set of questions is this. If a group of employees determined that they wanted to certify through a employee representative union and 80 per cent of the people signed union cards, is it the minister's view that there should still be a secret vote?

Hon. Mr. Norris: — Yes — and I appreciate the query — the answer at 80 per cent is yes, that with the amendments we would see that moving forward. And the rationale for that is a notion of buyer's remorse and so we'll, we'll . . . [inaudible interjection] . . . actually I'm not finished. If I may. What we'll do is we'll have Mr. Carr highlighting some detail, especially the contextual detail that he's familiar with, what that looks like, what that phenomenon looks like especially within the context of contemporary labour relations.

Mr. Carr: — Thank you, Minister. There are occasions in which organizing campaigns are occurring and have occurred, where there's a significant emotion attached with the desire to sign a card. The challenge becomes what happens once an individual has signed that card indicating support for the union. In the present circumstance that card is carried forward by the union unless the individual has the wherewithal to make contact and ask for it back, and it goes forward. I know that there are, in terms of policies of a number of unions, an approach that says to their organizing staff that if someone contacts you seeking a return of their card, you will give it to them.

The challenge again is, that because of the process and the way that it often unfolds, there isn't an opportunity for second contact with the individuals being certified. And so the process again in terms of what the minister spoke to a moment ago is to try and encourage an environment where there is a exercise of conscience by exercise through a secret ballot that demonstrates support that can be carried forward.

The Chair: — Ms. Atkinson.

Ms. Atkinson: — Thank you, Mr. Chair. My understanding is that if a worker decides in the heat of the moment that they no longer want to have their union card acknowledged, that if they contact the Labour Relations Board before the hearing, that that card will be withdrawn. Am I correct, Mr. Carr?

Mr. Carr: — I believe that . . .

Hon. Mr. Norris: — I appreciate the question. I'll just . . .

The Chair: — Order. I would ask that members put their questions to the minister. The minister will decide if he will answer the question or if he will call on one of his officials. Thank you.

Hon. Mr. Norris: — Thank you, Mr. Chair. I will turn this one over to Mr. Carr, but I appreciate the procedural input.

Mr. Carr: — Thank you, Minister. Again the board may or may not do that. In my experience the board would certainly take that issue into consideration. The challenge has been that the individual may not be aware of that ability.

The Chair: —The Chair recognizes Ms. Higgins.

Ms. Higgins: — Thank you very much, Mr. Chair. Mr. Minister, I just have time to make a few comments, and I'm sure you will have some opinions to offer back.

Hon. Mr. Norris: — One never knows.

Ms. Higgins: — Yes, one never knows, but I might put money on this one. I have to be at another committee. So I know there's many more hours that are booked for these two Bills, so I look forward to having an opportunity to speak to you again. And I look forward to your answers to the questions.

First and foremost, I want to make a comment about your statement about question their conscience. And you spoke about anecdotal or a rich history of reading, and you went on to elaborate in some very flowery language. What I would say to you is, when I am here asking questions on these Bills, I'm speaking from personal experience on both sides of this issue.

So I think first and foremost in the committee today I am a little bit disappointed that you have the Saskatchewan Party platform folded and highlighted and at your elbow, first and foremost because as a minister of the Crown and as a member of the Government of Saskatchewan, you don't just represent Saskatchewan Party voters. You are the Government of Saskatchewan, and you represent all constituents, all residents of this province.

So that's my first point, is that you're not here . . . you wear many hats as a minister of the Crown. And while you may have a mandate that you bring forward from the election, you also take on a new responsibility and an added responsibility of having responsibility to address issues from across the province, from all of its population. I mean that's a duty and a responsibility that you carry with you from the election and as a minister of the Crown.

So that's just one point that I want to make. And while we may have our own ideals and we may bring with us a history and things that we are passionate for, we also have to be considerate of others that live in this province, others that have built this province, and others that give a great deal to the success of Saskatchewan.

One of the things . . . I know we are going to be here for a quite a number of hours, and I know that you will also have a bit of spare time in between because we are still sitting in the legislature until March 15 . . . or May 15. Oh yes, March I wish. May 15.

And I would like to actually make some comments from a report that was filed with this Legislative Assembly a few years ago. And it was during a similar time when there was a review of The Trade Union Act ongoing, and there was some very broad and helpful consultations that were done at that time. And I would like to read, and what it says from the report is:

While this committee has been successful in obtaining consensus on a number of issues, it is clearly the view of both Mr. Carr and Mr. Wagner that consensus may have been able to have been reached on a broader range of issues, had additional time been available. Both business and labour recognized that stable labour management relations will be enhanced by avoiding radical changes to labour legislation, depending upon the particular political philosophy of the government of the day. Now such changes produce a pendulum effect which is not conducive to stable labour relations. And it is apparent that both business and labour have an interest in labour

management issues, which arise from time-to-time, together with ongoing proposals for legislative change.

Now, Mr. Minister, you have someone on your staff who is very aware of this report and the series of consultations that went on. Your associate deputy minister, Mr. Carr, was very involved. So I'm sure he can enlighten you onto the issue of consultation and how effective it can be. It's time-consuming and it can be a very stressful process. But it also can be a rewarding process because when you look back at much of the legislation that's been put in place, and I know . . .

You touched on the smoking legislation. There was a great deal of consensus that came out of the smoking legislation by an all-party committee that travelled this province for a number of weeks, held public meetings evenings, met with high school students during the day. Yes, the First Nations issue was not as successful as we would have liked. But all in all, while people may not agree with the Bill or the legislation that you're putting in place, it is much more palatable if they have had an opportunity to voice their opinion and have had a voice and an avenue to be heard and feel that they have been adequately consulted.

So while you sit there with the Sask Party platform at your elbow, I would just remind you, Mr. Minister, that you represent everyone in Saskatchewan. And legislation that's put forward needs to have input from all sectors of the province.

We may not all agree with it, and I mean, you're well aware of that. Everyone in the province may not agree with it at the end of the day, but there needs to be an avenue. And I would say especially for labour legislation because it does have a very divisive effect. And there needs to be some lengthy consultations so that people have an ability to work through the legislation and the proposed changes and the amendments.

And that, I have to say, has caused a wee bit of consternation also. When you were putting forward amendments before there had been any discussion on the legislation itself, that's caused a great deal of suspicion, and it raised a great deal of questions as to the inadequate consultations that took place before the initial legislation was tabled.

So, Mr. Minister, I know you have some good access to someone who has been involved in a lengthy consultation. But a worthwhile consultation process that actually reached out to citizens, whether business or labour, right across this province . . . You have a great resource at your service.

And I have many more questions when we get into the specific details. But please, I truly would urge you to hold off. Spend the summer doing some much needed consultations and come back in the fall. It would pay off in the end, I'm sure. And I have to say, question your conscience. Every person who signs a union card does that. If you sign your name to something, it means something to you. So don't ever think lightly of the effort and the emotion and the thought that goes into signing a union card. It may seem frivolous to you. It may seem not adequate to you. Obviously it does not because you are looking to put in place votes.

But as someone who has done it and thought long and hard over

the process, I guess I am somewhat offended by questioning my conscience, that I would need some other avenue to make this type of decision. And that is how this has been viewed by many working people across this province. There needs to be more consultations.

Hon. Mr. Norris: — Mr. Chair, I certainly appreciate the question and understand the, I think, heartfelt comments of the member. And I guess, on reflecting of the duties of any elected official, that we all have to contextualize our own experience. To simply draw on our own personal experience is one source of information or inspiration or insight. And I think I have a very fundamental notion and understanding of what it is to serve the people of Saskatchewan.

In reference to the question about why I have a platform here, it's simply to help inform a response to one of the prior members.

I think it's curious to link information that may be here that's utilized to help speak to the direction we're going and somehow intellectually muddy and mesh notions of duty that I know you take seriously and that I take equally seriously. So it's to turn and offer reassurance to all members that the duty of an elected official is one that I know we all take seriously. The duty of being a cabinet minister we take seriously.

The comments regarding Mr. Carr's contribution to the public service — and I echo it for all members within the public service that have assisted me — I applaud them. We all rely on these people and I appreciate them greatly . . . [inaudible interjection] . . . If I may, sir, the notions of consultation, the key is that on November 7 the people of this province were consulted. The people of this province came forward with a very decisive outcome. They said they wanted a new direction in Saskatchewan. They said they wanted to sustain economic growth. They said they wanted a fair and balanced labour environment for workers and employers.

We're moving forward on this. We tabled a Bill. We held consultations, and those consultations helped to inform our progress in moving forward. We may have different views of that but these are elements of the empirical record.

So it is to offer great reassurance that we're fulfilling our mandate, we've held consultations, and now, under the light of the legislature, we're having an open and free discussion and dialogue. And I would no more question the member's or any member's notion of duty and responsibility as an elected representative. At the same time I wouldn't anticipate that the member would question mine, especially premised on a rather flimsy, troubling assumption as far as what information was being referred to. It was being referred to as a point of access and information. Thank you, Mr. Chair.

The Chair: — Ms. Higgins.

Ms. Higgins: — Well, Mr. Minister, while you may be offended at my comments to question your intention or your integrity, I apologize. But now you may have some understanding and some feel for how you feel that there needs to be in fact a double vote for a union to be formed in a workplace by having cards signed and approval for cards plus

then you would, if the cards passed the approval process, then you want to go to a balloting process or through a balloting process. So don't be offended . . .

Hon. Mr. Norris: — I'm not.

Ms. Higgins: — That's good. That's good. But there is many issues that need to be raised over both of these pieces of legislation. And I apologize; I do have to get to another committee. So I look forward to having a discussion.

And I would recommend, the committee that Mr. Carr sat on, there is copies of the reports in the Legislative Library. Now I have one copy, so I'm not sure if there are multiple copies. They all may be out right now because consultation in labour legislation is a bit of a hot topic now, but Mr. Carr, I'm sure, can fill you in on the process. Thank you very much, and we'll see you, I think, tomorrow night. Thank you very much, Mr. Chair, for the opportunity.

The Chair: — The Chair recognizes Ms. Morin.

Ms. Morin: — Thank you very much, Mr. Chair. With reference to your opening remarks, Mr. Minister, I'm wondering if the minister could clarify when he says, quote, "The amendments to Bill 6 will be of benefit to unions and employers." I'm wondering if he could just clarify the benefit to unions first.

The Chair: — The Chair recognizes the minister.

Hon. Mr. Norris: — I'm just seeking clarification. It's section 6, sorry. Just to restate the question, it's regarding section 6?

Ms. Morin: — No, I'm talking about your opening remarks. I just wanted to see if you could provide some more clarification on your opening remarks when you say that this legislation, quote, "would be of benefit to unions and employers." And I'm wondering if you could just expand on what the benefit to unions would be?

Hon. Mr. Norris: — Sorry, Mr. Chair, we're going back to the specific quote that will make reference to . . . And again forgive me; we can go back through this. But I see a quote that says, "this is good for employers, employees, and for the province." So that's one reference which is a slightly different quote than what the member has offered. If you'll give me just a couple of minutes, we'll go through in more detail, and then we can respond. But I just, I want to make sure I'm responding to a specific quote.

Thank you, Mr. Speaker, for your patience and the patience of the committee members. I have reference to three quotes, and it's not to say that this has been an exhaustive quest, but it is to say that I think we've been diligent as we go through — we'll go through further if we need to — but if I may, I'll just reiterate for the record. During my opening remarks, quote:

The amendments though . . . [are not in favour of] any one party. They provide benefits to both workers and employers and allow for a better, stronger relationship to develop.

That's one.

This is good for employers, employees, and for the province as we continue on our path of economic growth and sustainability.

That's two. Third towards the end:

The amendments are about ensuring there are clear, thoughtful, and democratic processes in place that benefit both workers and employers.

Again it's not exhaustive and if we, if we have to we're happy to go back, but I just want to make sure that we're addressing the question. The context of this we can point to some specific examples. And again it extends out beyond the dynamic of employers and workers but certainly would benefit both, and that is the enhanced timelines for the Labour Relations Board to offer opinions. That's something that is to the benefit of both groups, and it would be to the benefit of the people of Saskatchewan. That's why we're moving forward on it, that there is an annual report from the LRB again increasing transparency and accountability in the Labour Relations Board. That's a key element. Again both workers and employers but certainly the broader public would again benefit.

Obviously when we talk about a secret ballot, that is to ensure that people have the opportunity, individuals have the opportunity, to consult their conscience — obviously of benefit to workers.

The threshold bringing it in alignment or to ensure we're competitive, that 25 per cent, the lowest in Canada, the anomaly, the exception, to 45 per cent so we're within a 5 per cent bandwidth of what's going and accepted across Western Canada to the benefit that people know that we're meeting a regional norm, and even nationally that between 45 and 35 per cent were within that bandwidth.

So again I'm happy to do a much more exhaustive search, but if I have this correctly, our notion of benefiting both workers and employers . . . I hope I've offered some tangible examples embedded within these amendments that will not only benefit these groups, but will certainly benefit these groups, but also will benefit the people of Saskatchewan. And that is the foundational premise of us moving forward with this legislation. That is, we are serving the public interest.

Ms. Morin: — Okay. So you've just elaborated on both what you feel are the benefits to both workers and employers, so I guess I won't ask my second question. I would have to say though that, as Ms. Higgins remarked before, there would be a fair amount of people who would say that questioning their conscience or questioning their understanding of what they were doing when they were signing a union card in order to unionize, by holding a mandatory vote, would be insulting to their intelligence. But you have your opinion on that, and so we'll just leave that.

You said in your opening remarks as well that when the legislation was introduced in the fall, you sought feedback. There was, you said, a very productive consultative process. I'm wondering if you could describe that consultative process.

Did you send out invitations? And if you did send out invitations, do you have a list of stakeholder groups that replied? Can you provide that list to us? Could you provide a list of invitations that were sent out to which stakeholders? And what the submissions were from those stakeholders that did reply?

Hon. Mr. Norris: — Thank you very much for the question. The stakeholder consultations once again, and you may have seen copies of the advertisement inviting public feedback advertised in nearly 100 newspapers across Saskatchewan, 84 letters of invitation sent out, the meetings either chaired by myself or the deputy minister. We will provide a framework document — if tomorrow's acceptable — as far as the organizations that we met with.

And again following on a similar principle from the last Bill, we would reserve offering any substantive elements. Stakeholders from across the province again have taken the opportunity as they've seen fit to offer public comments, and some have opted . . . And we respect and appreciate that they've spoken in confidence. So if tomorrow is acceptable we will have the framework information available.

Ms. Morin: — Given that the minister has reservations about providing the submissions that were made by the stakeholders that did partake, would the minister at least provide the list of stakeholders or groups or individuals that made submissions — without their submission remarks — so that that can at least be scrutinized by the legislature.

Hon. Mr. Norris: — As I've said, we'll get you the umbrella information here. There's no problem on organizations.

But regarding individuals, it's akin to one of the earlier sets of questions during the previous Bill about individuals: who drafted the Bill? And it's akin to that. That is, some individuals have come in confidence, and to respect their privacy and to respect the confidences that were shared with us, I don't think it would be appropriate to put individual names on that information. I don't know to what end that would meet and especially when framed under scrutiny of the legislature.

The scrutiny of the legislature is premised on elected officials offering scrutiny to their peers, and it goes back to a notion of responsible government which takes us back into the evolutions of the 19th century. And again I think within the parliamentary tradition, I think that the scrutiny of individuals maybe can be left out and organizations, I'm assuming, will serve the same purpose.

Ms. Morin: — Well, Mr. Minister, with all due respect I would suggest that if you were not going to be supplying the submissions of the individuals or organizations that made submissions, that one would then not know what position they took when they made those submissions to the minister. So providing us with the names of the organizations and/or individuals that made submissions would therefore hold no prejudice because we wouldn't know what position they took anyways. So I would make that submission and I'll leave that with you in terms of food for thought.

Moving on, you speak of the Mackenzie King quote, for

instance, with respect to a mutual trust relationship. You many, many, many times have used the phrase, a fair and balanced labour environment. I would like to ask the minister what his thoughts are with respect to the amount of phone calls that the opposition is getting, with respect to the amount of petitions that the opposition is getting, and I'm sure that the minister and the government members are getting as well, especially in the Premier's office. Why do you think that there is so much concern about this Bill if you feel or your government feels that this is fair and balanced and based on mutual respect? Why is it then that the question being posed to you as a minister and government is to hold public consultations? They're not saying, at this point yet, kill this Bill. They're saying please hold broad public consultations.

So if you feel it's fair and balanced and if you feel that, you know, by Mackenzie King it is important for a government to base its policies based on mutual respect between capital and labour, then why is it then that you feel that there is so much outcry from the Saskatchewan public right now if that is the case in terms of what you are presenting?

Hon. Mr. Norris: — The question offers an opportunity for a sociological response. That is, why do we feel or assume or what social scientists would reframe as hypothesize, that a certain social phenomenon is taking place at any given time?

There's actually a very foundational question to that, and that is, what societal phenomenon is going on right now? That's a foundational, a very fundamental question of social science research. And my sense is that the tapestry — my colleagues appreciated the colourful comment — the tapestry of Saskatchewan society is very rich and textured, and that is at any given moment there are elements of support. There are elements of concern or curiosity, and I think to comment at any level that would be worthy of this committee would be to turn and say, it would be interesting as a snapshot — either sociological or done in the future as a snapshot of history — to turn and say, what does the tapestry look like?

I have a hypothesis of what the tapestry looks like. The tapestry is getting richer. Sixteen thousand people have moved back to Saskatchewan in the last year, 48 per cent increase in immigration, increasingly diverse and dynamic communities. What we see — record land sales, increased prosperity, a new government, Saskatchewan playing a new role. That's part of the tapestry.

And so in order to comment — why do you think there is concern? — I actually am optimistic. I think there's concern in some quarters because we are a rich, pluralistic, civil society in Saskatchewan. And I anticipate that people will have a range of opinions on a range of public policy issues, and I think this is a healthy phenomenon within the province. I have received as many anecdotal pieces of feedback that are positive, that are encouraged, that actually turn and say, this reflects a new era of a fair and balanced labour environment for Saskatchewan, one of the platforms of growth that we will move forward with.

So my explanation based on hypothesis, based on anecdotal evidence — and it will be interesting either in a contemporary study or more likely as a historic study to better understand that rich tapestry — but the tapestry of civil society in

Saskatchewan is alive and well, dynamic and diverse. And this allows us, I think, to be optimistic, to reinforce that hope beats fear.

Ms. Morin: — Thank you, Mr. Minister. Setting aside societal phenomenons and rich and textured tapestries — because unfortunately, your colleagues across the hall from me are splitting a gut and I don't want them to end up with any stomach pains — I think we'll just move on to questions that you'll be able to answer based on more of a factual nature and yes or no answers because I do want to spare your colleagues from any more horrible laughter.

So I'm wondering if you can tell me what the regulations will show in terms of defining how workers can show support for being unionized. What will the regulations show? What will the regulations show?

Hon. Mr. Norris: — Again thank you for the opportunity. The regulations will be constructed subsequent to the legislation. And so you know, at this stage we certainly appreciate the question. But they would come into focus, the regulations would come into focus subsequent to the legislation.

Ms. Morin: — Will there be any consideration for workplaces where 100 per cent or 80 per cent or a significant amount of majority of cards, certification, evidence has been shown, and the employer states that they do not desire to have a mandatory vote? Because we've also heard from employer organizations which are saying, I don't want a mandatory vote to be held on my time because it's going to disrupt my industry, my business, whatever, whatsoever. Is there going to be any consideration for those situations where the employer is not contesting the support evidence that has been given to the Labour Relations Board with respect to certification?

Hon. Mr. Norris: — I appreciate the question. I think the question, if I understand it correctly, is the notion of voluntary recognition. And it certainly, it has not been ruled out.

Ms. Morin: — Thank you for the answer. Is there a time frame for holding the mandatory certification votes proposed in Bill 6?

Hon. Mr. Norris: — The question on the time frame is that that would be left to the LRB to offer that time frame.

Ms. Morin: — Given that the amendments to Bill 6 will allow for employer interaction with respect to information dissemination with the workers and such on a much larger, more expanded basis, will employees in favour of being unionized be allowed to campaign in a workplace during their rest and meal breaks as well?

Hon. Mr. Norris: — I just want to be clear. Now we're talking about the communications provision . . . [inaudible interjection] . . . Okay. Regarding that provision, nothing is changed within the Act on that.

Ms. Morin: — So the Act is only contemplating changes for employer communication, but it is not contemplating any changes with respect to worker communication. Is that correct? Interaction, communication.

Hon. Mr. Norris: — Yes, we see this as levelling the playing field.

Ms. Morin: — So I'm assuming then that your answer to the next question will likely be the same, that I was wondering if unions would be allowed to campaign on employer premises during the process leading up to the mandatory votes as being proposed in Bill 6.

Hon. Mr. Norris: — Yes, I appreciate the question. That provision also remains unchanged.

Ms. Morin: — That provision also . . . I'm sorry.

Hon. Mr. Norris: — Remains unchanged.

Ms. Morin: — Remains unchanged. And so this is part of what you see as levelling the playing field that the employer can have contact ad nauseam without any restrictions whatsoever with the workers on site, but the only contact that the union that might be potentially representing them, or the organization of the workers themselves talking about organizing with a union, can only happen off premises after work hours or before work hours. Is that correct? So you see that as levelling the playing field?

Hon. Mr. Norris: — Mr. Chair, if I may I believe we're . . . It's probably best if I just address the language. In philosophy this is called a bit of a straw-man argument, and that is misconstrue or build up a straw man, a straw person, and then blow that away. And so I want to be really clear about this, and perhaps it's been a long evening and so maybe I'll just reiterate this.

And this is in response to notions of, and I'll paraphrase, a bit of a free-for-all. And my apologies . . . the exact phrasing, but the legislation's clear. It remains an unfair labour practice for the employer, "to interfere with, restrain, intimidate, threaten or coerce," employees by communication or any other means. So the parameters within which we're dealing with, Mr. Chair, are quite specific. They're specific now and they stay specific. There's continuity. Again this discussion reflects elements of both continuity and change. The kind of a motive response is . . . Well I think it just further can cloud the issue. And I'm going to ask Mr. Carr to respond because again this piece has been informed by practices from across Canada, and he's better positioned to speak to that.

Mr. Carr: — Thank you, Minister. As the minister has suggested the Bill will maintain the protections existing in the present legislation to ensure that there is no undue coercive influence exercised by an employer where there is an organizing campaign going on in the workplace. The purpose for that is that it is a standard principle in the legislation that assures that individuals are exercising a free right to join the union of his or her choosing.

There are no jurisdictions that I'm aware of anywhere in North America that would allow unions access to the workplace for the purpose of an organizing campaign absent a proven unfair labour practice before a labour relations board in the jurisdiction where the campaign is under way. So it is certainly, I know of no jurisdiction that provides the type of entitlement that has been discussed. And certainly to reiterate, the Act as

it's presently constituted and the Bill which seeks to amend it will not alter the circumstances that have been discussed.

Ms. Morin: — We're running short on time. I'd like to get another question in if I may, Mr. Chair.

The Chair: — A very short question, Ms. Morin, because we are very near the end of our time.

Ms. Morin: — Thank you I appreciate that. So the underlying or implied threat of lost employment, I'm sure you're aware of the fact that that would be a threat. But unfortunately those are threats that are very difficult, if not impossible, to prove.

But I would like to ask one last question and that would be on the issue of, is the minister aware of employees being fired during an organizing drive, having that brought to the Labour Relations Board as a unfair labour practice, and then having that employee reinstated because of the fact that those things do occur during organizing drives? Is the minister aware of any of those cases, and perhaps Mr. Carr can illuminate the subject as well.

The Chair: — I will recognize the minister, and the minister will decide whether he answers the question or one of his officials answer the question.

Hon. Mr. Norris: — My sense is the Chair's directing us to be concise on this response. I do have some things to say on this issue, but in this instance, I will ask Mr. Carr to make a very brief response being fully aware of the time restrictions under which we work.

Mr. Carr: — The answer is yes.

The Chair: — Members, we are at the end of our time. I would ask a voting member to move a motion of adjournment. Mr. Allchurch moves adjournment. Are the committee members in agreement?

Some Hon. Members: — Agreed.

The Chair: — The committee stands adjourned.

[The committee adjourned at 20:01.]