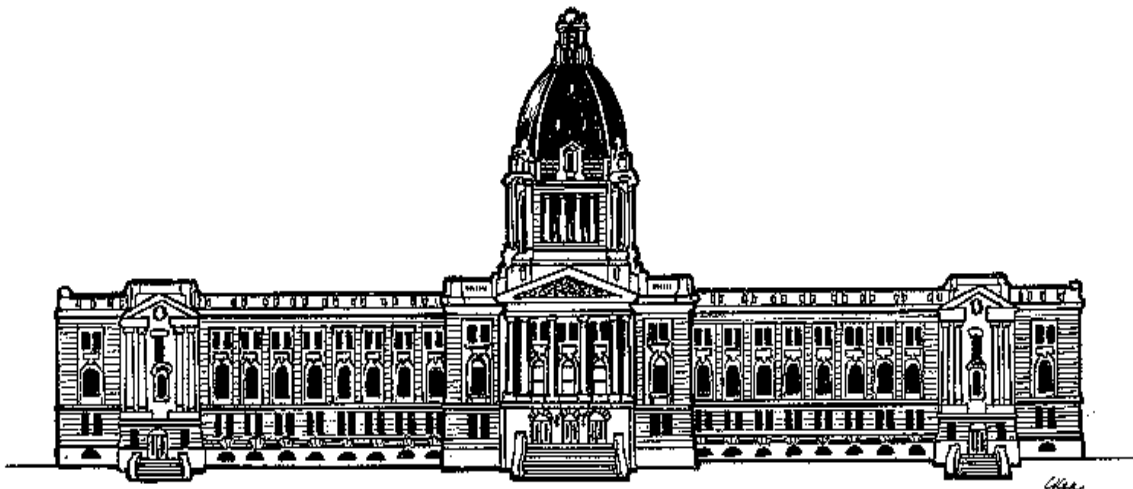




STANDING COMMITTEE ON HUMAN SERVICES

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STANDING COMMITTEE ON HUMAN SERVICES

Mr. Greg Ottenbreit, Chair
Yorkton

Mr. Cam Broten, Deputy Chair
Saskatoon Massey Place

Ms. Doreen Eagles
Estevan

Mr. Glen Hart
Last Mountain-Touchwood

Ms. Judy Junor
Saskatoon Eastview

Mr. Serge LeClerc
Saskatoon Northwest

Ms. Joceline Schriemer
Saskatoon Sutherland

[The committee met at 14:00.]

Bill No. 80 — *The Construction Industry Labour Relations Amendment Act, 2009*

The Chair: — Good afternoon, ladies and gentlemen. Sorry for the late start. We were trying to figure out how to start the mikes up here. I'm Greg Ottenbreit, Chair of the Human Services Committee. We have no substituting members today. We have numerous support members in attendance. I won't go around to introduce everyone. I'd like to welcome the minister to this afternoon's proceedings for his two hours until 4 o'clock on the consideration of Bill 80.

I'd like to welcome all guests to our Assembly. Just to remind them that you are welcome to sit in and listen to proceedings but you are not to be taking part in any way, shape, or form. So again welcome and welcome to listen.

I'm very happy the minister did agree. There was some correspondence that went back and forth between myself and the Vice-Chair of committees as to having the minister here for two hours prior to a report being prepared. Although it was not part of the original agreement, the minister did agree to meet with us before the report. So I would like to welcome him and ask him to make any opening remarks after introducing his staff.

Hon. Mr. Norris: — Mr. Chair, thank you very much. And to all the committee members and colleagues, thank you for the opportunity to be here. Certainly in accordance with the spirit of the agreement reached by the committee, as I last appeared on June 24th, I'm pleased to return to the committee for a final two hours as we continue our discussions and deliberations on Bill 80.

I look forward to seeing the progression of the Bill through the legislative process. I understand that this Bill has received over 22 hours of deliberation by committee members and that this committee has heard from a variety of stakeholders with a diversity of views. We've given careful consideration to the points raised by all parties.

I'd like to thank everyone who has taken time to provide input both to the ministry and most especially to the committee. If I may, Mr. Chair, as you've suggested, I'll just take a minute to introduce the officials that are joining me today. Our deputy minister, Clare Isman, is here. Our associate deputy minister, Mike Carr; acting director of legislative services, Pat Parenteau; and senior policy analyst, Mike Berry, joins us. And I think Michael's just seated over here.

I thought I'd begin by summarizing some of the objectives of Bill 80. Bill 80 is about what I like to call three Cs that are essential to enhancing Saskatchewan's construction industry labour relations framework: choice, clarity, and competition.

If we put an initial focus on choice, Bill 80 enshrines the right to choose for workers and employers alike. Right now Saskatchewan's existing construction sector, the legislation within this sector is out of step with the rest of Canada. In Saskatchewan the existing construction legislation still forces

unionized workers to join a specific construction union. It also still forces employers to belong to a specific representative employer organization or REO.

Under the existing legislation, it is the government which dictates to workers and employers which union or REO respectively they must join. Construction workers in this province ought to have the right to choose their own bargaining unit.

Now an important part of protecting everyone's right to choose is to respect the existing bargaining structures and relationships that are already in place. Put quite simply, Mr. Chair, Bill 80 allows for continuity. Workers and employers who are satisfied with their current bargaining relationships within the current legislation can keep those relationships.

That said, the Bill also creates room for additional unions, companies, and workers to enter the industry and for new relationships to be built.

On the second C, for clarity, Bill 80 provides two important pieces of clarity. First, it addresses a constitutional issue. As you may know, Mr. Chair, the Minister of Justice has advised that the existing legislation is likely unconstitutional and vulnerable to challenge. Bill 80 addresses this concern by ensuring that Saskatchewan's construction industry labour relations framework respects the rights and freedoms set out in the Canadian Constitution in the Charter of Rights and Freedoms.

Secondly, Bill 80 provides clarity on the issue of abandonment, bringing Saskatchewan's construction industry labour laws in line with best practices already in place right across the country. Our province's current legislation is out of step with the rest of the country when it comes to providing clarity on the issue of abandonment. As many will know, most provinces' labour laws allow for certification to be set aside on the principle of abandonment.

In other words, if a construction union is not representing its members in enforcing its bargaining rights over a period of time, which can vary from jurisdiction to jurisdiction, the members or the employer have recourse, a mechanism to address accountability, and authorities invested in the Labour Relations Board to determine whether the representation and bargaining rights of a union have lapsed or have been upheld.

Here in Saskatchewan the application of the principle of abandonment has been brought into question. Recent Labour Relations Board and court decisions have underscored the need for clarity on abandonment. Bill 80 provides that clarity.

Bill 80's abandonment provisions gives the LRB [Labour Relations Board] the ability to make a finding based on the application of an interested party. We've been asked about the intent of the three-year period as it applies to employers seeking a finding of abandonment. And I want to be clear here. This is a three-year period in which a union has failed to represent members working for an employer that has been actively engaged in construction in Saskatchewan over that same three-year period.

As we focus on competition, we can think about having a more robust and competitive construction sector here in Saskatchewan. Bill 80 is about growing the industry for Saskatchewan's future prosperity. It's also about maximizing taxpayer investments.

We've heard a number of concerns, and I thought I would address a couple in my opening remarks. First, there have been suggestions that Bill 80 will affect apprenticeship levels, that our government isn't doing enough to support training and apprenticeship. Our government is committed to apprenticeship and training. The Government of Saskatchewan has responded to this increased demand right across our province. Since 2005, obviously following along with the former government, investments in Saskatchewan's apprenticeship system have increased by 64 per cent. This year alone, that is '09-10, these investments total more than \$17 million for approximately 9,000 new training opportunities.

Secondly, it has been suggested during these deliberations that safety, workplace safety will somehow be affected by Bill 80. Construction workers play a vital role in our communities and within our economy. Keeping Saskatchewan's construction workers safe is a top priority. Our government is committed to improving safety in the construction industry in Saskatchewan through enforcement and public education. That includes a new construction safety task team which we've established this past summer, but of course this is just one aspect of improving industry safety.

Another perhaps even more important part is occupational health and safety enforcement. In 2008-09 we issued 28 per cent more notices of contravention than in the previous year. That same time . . .

An Hon. Member: — Mr. Chair, point of order.

The Chair: — Mr. Broten.

Mr. Broten: — Thank you. I'd like to make a point of order. The content that the minister is conveying now has been covered in the past to a great deal. The legislation has been to this committee before, and much of the background information that he is speaking of. Given that this is time to ask the minister questions and given that the minister has spoken for over six minutes or so, I would ask that the minister conclude his remarks now and we get on with the questioning, please.

The Chair: — If I could ask the minister to conclude his remarks.

Hon. Mr. Norris: — With your permission, Mr. Chair, I just simply have less than a page left.

In 2008-09 we've issued 28 per cent more notices of contravention than in the previous year. That same time, stop work orders have increased by 269 per cent. This is reflective of our government's commitment to safety and our shared desire to achieve mission zero.

In conclusion thank you, Mr. Chair, and committee members for inviting me back to discuss this important legislation, and I'm happy to do so over the next two hours. Thank you, Mr.

Chair.

The Chair: — Thank you, Mr. Minister. Mr. LeClerc.

Mr. LeClerc: — Thank you, Mr. Minister, for coming and your . . .

[Interjections]

The Chair: — As the Chair, I've been scanning both sides of the House for the last five minutes to see fingers going up. Nobody had put their hand up. Mr. LeClerc had . . . Order. This committee is meant for both sides to ask questions.

An Hon. Member: — We're the opposition. You're the government.

The Chair: — Come to order please, Mr. Leader. Both committee sides have asked time and time again to ask questions. The opposition has had ample time over the last number of . . .

[Interjections]

The Chair: — Order. The opposition has had ample time to ask questions. The government . . .

[Interjections]

The Chair: — Order. Order. There's been, there's been many . . . I'd ask all members to come to order and let me finish explaining.

There's been many times over the last number of months I've asked this committee to come back together and there's been many times . . . Order. There's been many times that both sides of the committee have asked to ask questions. Up to this point the government side has asked very little, if any, questions. I go back to Mr. LeClerc and then we'll go back to the opposition. There's many, there's many, there is many . . . You'll come to order, Mr. . . . We will alternate speakers. We'll alternate questioners throughout this period.

An Hon. Member: — Point of order.

The Chair: — What's your point of order?

Mr. Broten: — This questioning is a time for the opposition to hold the minister . . . ask questions. What are the motives? Why is this happening? We have on many occasions offered to meet. There has been no reply from the Chair on this issue. This is time for the opposition to ask questions. It is not in any way appropriate, it is not in any way appropriate for the Chair to come in here . . .

[Interjections]

The Chair: — Come to order.

Mr. Broten: — With a fixed deal from Executive Council telling them what to do. It's our turn to ask questions and we deserve to do it.

The Chair: — If this is going to be the state of this committee, you're going to end up using up all your valuable time . . . [inaudible interjections] . . . Then I would suggest you use it wisely.

An Hon. Member: — I would suggest you turn on our mikes and let us ask questions.

The Chair: — You will get your mikes turned on, Mr. Broten. And your accusation of not being able to come to a meeting since July, I as Chair have contacted you numerous times by email and a couple of times by letter. Through July, August, September, and October, we have not had the opportunity to meet. The minister . . .

[Interjections]

The Chair: — Come to order. Order. Order. Order. Order. Order. Order. Ms. Schriemer.

Ms. Schriemer: — I request a recess, Mr. Speaker. The member across the way had requested some documents that were exchanged regarding meeting arrangements. And I'm going to take the time to go and get them.

The Chair: — Mr. Hart.

Mr. Hart: — Mr. Chair, I would ask that all members of this legislature come to order so that we can deal with the business before the committee. Mr. Chair, I would remind you of rule 127(3), where you have the right to ask any members who will not come to order, other than the members on this committee, to leave. And I would suggest that if members opposite do not come to order, that you exercise that right.

[Interjections]

The Chair: — Come to order. I'm fully aware of that rule, Mr. Hart. I was hoping that we wouldn't have to get to that. I would ask the members to come to order. Mr. LeClerc, if you can keep your point very, very brief, have the minister answer, then we will alternate questioning.

[14:15]

Mr. Furber: — Time will be extended by the amount of time it takes them to ask questions, just as it did in . . . [inaudible] . . . committee in other committees of this legislature.

The Chair: — Mr. Furber, I understand what you're saying. The minister's agreed to two hours on this schedule, and we are wasting valuable time right now. Mr. LeClerc.

Mr. LeClerc: — Minister, we've heard some concerns about the abandonment provisions of this Bill. Can you walk us through what's wrong with the current legislation and how the new abandonment provision will work?

Hon. Mr. Norris: — Thank you very much, Mr. Chair . . .

[Interjections]

The Chair: — Committee members will come to order. We're

not here for the theatrics of the House. We're here for committee . . . [inaudible interjection] . . . Mr. LeClerc. Mr. LeClerc, please come to order.

Hon. Mr. Norris: — Thank you very much, Mr. Chair. What I'll do is I'll ask Mr. Carr to offer a bit of contextual information, and I'll come back and make some concluding remarks on this question.

Mr. Carr: — In terms of the issue of abandonment, the circumstances of abandonment are principles that apply in every jurisdiction across the country.

Abandonment is the concept of where one has failed to exercise the rights that it enjoys as a result of certification. That the parties to that certification can bring either an application before a trier of fact — in most cases it would be the Labour Relations Board of the various jurisdictions — and they would hear evidence as to whether or not the union in question that holds the certification has properly discharged its obligations with respect to serving the interests of the members for which it holds the certification.

In terms of the process, in most jurisdictions there is either an express provision in the enabling legislation or there is — for the jurisprudence of the Labour Relations Board in question — a clear understanding that if a union fails to exert its rights under the certification process, that those rights may be brought into question either by an application by members of the bargaining unit or by an employer or as a defence to an application by the union to exert rights that it has failed to exercise in the past.

So the principles of abandonment are pretty clearly available in all jurisdictions across the country.

Hon. Mr. Norris: — Thank you very much. I would just like to reiterate, based on questions that have emerged from the public consultations as well as some of those that we've had through the ministry, I would like to reiterate a key component.

And that is, within the amendments as proposed regarding abandonment, there is a three-year period in which a union has failed to represent members working for an employer that has been actively engaged in construction in Saskatchewan over that same period of three years. I hope that that offers some clarity over that issue. Thank you, Mr. Chair.

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

Mr. Iwanchuk: — Thank you, Mr. Chair. I'd first like to welcome all those executives of the building trade. And I see we have members here from the chamber of commerce and the Canadian independent business folks here, so I'd like to welcome them to their legislature.

Mr. Chair, I also want to make comment on a statement I just heard from the member from Northwest where he said, shut up and listen. Mr. Chair, I find that highly unparliamentary language to be used here. But I quite clearly heard that, so I'd like that to go on the record.

My first question, Mr. Chair, to the minister . . . And I welcome

the minister and all his assistants. The last time you were before this committee, you committed to a consultation process by your ministry. Can you tell me where that process is at?

Hon. Mr. Norris: — Thank you for the opportunity to provide an update, Mr. Chair. And once again what I'll do is ask Mr. Carr to highlight some of the key elements of the consultations that have been undertaken by the ministry. Mr. Carr.

Mr. Carr: — Thank you, Minister. As you may be aware, there were a series of letters sent out to 41 stakeholders following the public hearings conducted by this committee. The majority of those who received the letter were persons who were involved or organizations that were involved in a technical briefing that we held as a ministry on March the 10th. In addition comments were solicited from the general public and all interested parties. And as a result of these consultations, the government received a number of responses.

Mr. Iwanchuk: — Mr. Chair, to the minister: just together, how do you intend to report back to the public in terms of what you heard? Or what is the status of your consultations?

Hon. Mr. Norris: — Thank you very much, Mr. Chair, for the opportunity to respond. Certainly we have, as the associate deputy minister has just reported, we've certainly heard from stakeholders not only through these proceedings, but within the ministry. And certainly we have been attentive in receiving that information certainly as it relates to questions regarding apprenticeships, regarding safety, regarding the issue of abandonment.

I have worked to already address these in my opening remarks and appreciate greatly those parties that have offered the feedback into the ministry, as well as some of them have also offered it more publicly. Thank you, Mr. Chair.

Mr. Iwanchuk: — In October you met with the building trades and they presented an alternative process to work collaboratively with the employers to develop a made-in-Saskatchewan approach to make improvements to the construction industry. Why did you reject the offer of co-operation from the building trades?

Hon. Mr. Norris: — Thanks very much, Mr. Chair, once again. Mr. Chair, certainly as this process has begun . . . It began last March, this legislative process. As it continues through the well-established means through this Assembly and through the committee, we have ensured that these consultations have been open to the public. We've heard from a variety of stakeholders, expressing a diversity of views. Frankly, some might say that the Bill hasn't gone far enough; some might say that the Bill goes too far. And in this business I think we've got it pretty close to having that golden mean.

I think, Mr. Chair, it's important that as this process continues, certainly we respect that we are well under way, and to have proposed alternative processes, I think, would be inconsistent with the path that we are currently on. Thank you, Mr. Chair.

Mr. Iwanchuk: — Mr. Chair, after rejecting the building trades offer, in the meeting you said to the media something to the effect that the only reason that the building trades were

interested in suggesting alternatives was because they were afraid that they were about to lose their monopoly.

Hon. Mr. Norris: — Thank you, Mr. Chair. Certainly as I've attempted to address in my opening comments, certainly we have put and placed significant priority on the notion of choice. This is consistent with the democratization of labour relations within the province. As I've said, certainly as it exists now, the current legislation is out of step with the rest of Canada. And we can make specific reference to two examples where the existing construction legislation still forces unionized workers to join a specific construction union, and more specifically those would be trade-based at present. And it also forces employers to belong to a specific representative employer organization.

We think on both fronts there is greater room for democratization, a long-established and fundamental premise. We can frame that or phrase that, that construction workers in this province ought to have the right to choose their own bargaining unit. And, Mr. Chair, I think that notion certainly speaks to areas that have been identified as fundamental freedoms within our country.

So what we have endeavoured to do is again provide for both continuity and change through this very moderate in nature piece of legislation that offers just a limited number of amendments. What we're working to do is to ensure that there are greater elements of choice. And Bill 80 enshrines the right to choose for both workers and employers alike. Thank you, Mr. Chair.

The Chair: — Mr. Iwanchuk, before you continue, Mr. LeClerc.

Mr. LeClerc: — I'd just like to offer apology for using unparliamentary language of shut up and listen. I lost my temper when I heard the Leader of the Opposition call me a dummy and my fellow MLA [Member of the Legislative Assembly] a liar, Doreen Eagles. So having said that, that's still no excuse for me losing my temper and using unparliamentary language. I offer my apology to the Chair and to the folk listening.

The Chair: — Thank you, Mr. LeClerc.

Mr. Lingenfelter: — Mr. Chairman, if the member from Saskatoon Northwest heard me call him a dummy, I apologize for that. Again in the heat of the moment, I think people say things that are inappropriate.

The Chair: — Thank you, Mr. Lingenfelter. And that's nice to see we have a little bit of a consensus here, and we can move on in a peaceful manner. Mr. Broten.

Mr. Broten: — On the topic of clearing the air as well, Mr. Chair, in our comments we talked about meeting times and when offers were made and when offers weren't made and when silence occurred, and I simply wanted to read into the record the last written correspondence that occurred between the two of us — between the government and the opposition — dated September 16th, 2009. And it was sent to the Human Services Committee, attention Greg Ottenbreit, Chair, and the

concluding paragraph reads:

The Official Opposition members of the Human Services Committee look forward to reconvening as soon as possible to hear from expert witnesses, to question the Minister, and to deliberate over our recommendations.

Sincerely, Cam Broten

The Chair: — Mr. Broten, I recognize that letter. As you are well aware, we had many correspondences through email prior to that July and August where I contacted many committee members getting their schedule and had negative responses from your committee. Ms. Schriemer.

[14:30]

Ms. Schriemer: — Thank you, Mr. Chair. I'd like to speak to the issue of arranging meetings to clarify the air, as my colleague says across the way. On June 17th the Human Services Committee had hearings from 10 a.m. to 4:15; June 18th from 10 a.m. to 4:15 — and this is 2009 — June 23, 10 a.m. to 4:15; June 24th, 12:15 to 4 p.m.

There is an email — or pardon me, a letter — of September 16th from Cam Broten, on your letterhead, addressed to Mr. Ottenbreit. September 1st there is a letter from Mr. Ottenbreit and there's another letter to Mr. Broten from Mr. Ottenbreit, and I will table them.

And just to make a point, you wanted the letters and I've brought the letters and I think we should get down to business. Thank you.

The Chair: — Mr. Broten.

Mr. Broten: — Yes. The last correspondence, as the member from Sutherland had just cleared up for everyone here in the Assembly, was September 16th from Cam Broten, MLA — I believe that's me last time I checked my driver's licence — and it was to the government and again:

The Official Opposition members of the Human Services Committee look forward to reconvening as soon as possible to hear from expert witnesses, to question the Minister, and to deliberate over our recommendations.

Thank you.

The Chair: — I recognize Mr. Iwanchuk.

Mr. Iwanchuk: — The question was the characterization of the words, they were afraid that they were about to lose their monopoly. My question would be to the minister is, why would he say that?

Hon. Mr. Norris: — Thank you very much, Mr. Chair, for the opportunity to respond. The element of choice is enshrined within Bill 80 for both workers and employers. Right now . . . And I'll speak directly to the question, and that is, Saskatchewan's existing construction sector legislation is out of step with the rest of Canada.

In Saskatchewan, the existing construction legislation still forces unionized workers to join a specific construction union. It also still forces employers to belong to specific representative employer organizations. And so what I do want to reinforce, Mr. Chair, if I may, is that under the existing legislation it is the government which dictates to workers and employers which union or REO respectively that they must join. Bill 80 presents a real opportunity to offer greater democratization within the construction sector, as is consistent with other jurisdictions across the country.

Mr. Iwanchuk: — Mr. Minister, under the current Act, can you designate additional unions to represent workers in the construction sector?

Hon. Mr. Norris: — Thank you, Mr. Chair. Certainly there is the prerogative of the state to provide those kind of changes. What Bill 80 does is redefine and confine the role of the state in this measure, making it significantly more democratic.

Mr. Iwanchuk: — Mr. Minister, if you can do that, why would you not consider doing that instead of embroiling this province in introducing a new Act which turns things upside down and destabilizes the industry?

Hon. Mr. Norris: — Thank you, Mr. Chair. I think the characterization of the work that's under way regarding Bill 80 is important here. And that is, this is a very moderate piece of legislation. It offers a moderate response to helping to ensure that there can be change but also continuity within the construction sector, Mr. Chair. And so it's with those dual goals in mind — continuity and change — to help ensure that we are further enhancing the democratization of the construction sector within the province. And on that, Mr. Chair, we feel very confident and comfortable with the approach that's being taken today.

Mr. Iwanchuk: — Mr. Minister, in your own words, this Act is supposed to respond to labour shortages and encourage labour mobility. I ask you now, do you have any expert opinion that suggests this current Act is a barrier to labour mobility, any expert material that you can provide us?

The Chair: — Mr. Broten.

Mr. Broten: — Thank you, Mr. Chair. While the minister is finding out where the opinions are kept, I have the letter I was reading from earlier which outlines when our last attempt to meet occurred. So I would like to table that, please. Thank you.

Hon. Mr. Norris: — Thank you very much, Mr. Chair. The OECD [Organization for Economic Co-operation and Development] has offered some significant work regarding labour mobility. And, Mr. Chair, I think what's important here is . . . Again, we can refer to the OECD or other aspects. But what's important here is how might those opinions of the OECD be relevant for Saskatchewan.

And it comes down to the role of the state. And that is, under the existing legislation it is the government, the state, which dictates to workers and employers which union or REO they must join. And the approach that has been taken within this piece of legislation in these amendments is that construction

workers, as it relates to choice, and employers, ought to have the right to choose the bargaining unit or the respective REOs.

And so certainly the work of the OECD is available and accessible. But as it relates on some fundamental principles affecting the people of this province, I think it goes back to one of those three Cs. And in this instance, it's the issue of choice and that's been enshrined within Bill 80.

Mr. Iwanchuk: — Mr. Chair, to the minister: there were discussions at the Agreement on Internal Trade chapter on labour mobility. Did this issue ever come up during those discussions?

Hon. Mr. Norris: — Thank you. Thank you, Mr. Chair, for the opportunity to respond. The internal agreement on trade, the chapter 7 amendments that the internal agreement on trade signed in the mid-1990s, including by Saskatchewan, chapter 7 has put a renewed emphasis on labour mobility. And as it relates to individual jurisdictions, each individual jurisdiction will work through its own regulatory and legislative frameworks.

And so within the context of that question, a very broad, far-ranging question, I would just simply say, you know, certainly there is a degree of consistency, and that consistency is one that's embedded within principles. And that relates to labour mobility, and certainly a key priority of all governments of all political stripes right across the country. And that notion of labour mobility not inconsistent with the amendments that are moving forward in Bill 80.

Mr. Iwanchuk: — Mr. Minister, your government has recently admitted that Saskatchewan is in a recession. Why are you proceeding with an Act that will encourage out-of-province contractors to bring out-of-province employees to Saskatchewan at a time when unemployment is rising across the province, and the number of unemployed has more than doubled in Saskatoon in the most recent reporting period?

Hon. Mr. Norris: — Thank you very much, Mr. Chair. Certainly we're very, very attentive to layoffs that have occurred unfortunately right across the country. And while not immune from what's going on around us, certainly within Saskatchewan in important ways, we've taken very real steps to help prevent layoffs where we can.

We're working with the federal government on work-sharing programs. We've put in place rapid response teams and, as well, we have a skills training benefit, Mr. Chair. And what's important, what's important, Mr. Chair, is that there are some steps, the relative context again, one where we can look at Saskatoon and Regina as having among the lowest unemployment in the country.

Certainly, certainly more work to be done, Mr. Chair. But what's important is that we have still thousands of jobs open across the province. And one of the challenges that we want to make sure that we are effectively focusing on — not in isolation, but in partnerships — and that is working to ensure that we're helping to meet what I call that talent challenge.

And so this certainly, the Bill as it is presented, is meant to

ensure that we are helping to maximize taxpayer dollars. We're helping to ensure . . . And that speaks to a more robust, competitive construction sector. It also is meant to ensure that there is greater clarity, as I've said, especially regarding the issue of abandonment. And, most importantly, it's helped to ensure greater democratization of the construction sector. Thank you, Mr. Chair.

Mr. Iwanchuk: — Mr. Minister, were you aware of the great unrest and upheaval in New Brunswick when an employer brought out-of-province workers organized by CLAC [Christian Labour Association of Canada] to work in New Brunswick?

Hon. Mr. Norris: — Quite simply, I've an awareness as other members of this Assembly would have.

Mr. Iwanchuk: — Well, Mr. Minister, perhaps I'll update you. In early October local workers were laid off and workers from Alberta belonging to the Christian Labour Association of Canada were brought in to do their work, and this led to near protests and near riots. Is this what you want for Saskatchewan? And what assurances can you give the public that this won't happen here?

The Chair: — I'll remind our guests that they're not to engage in the debate in any way. You're welcome to stay and listen, but no applause, please.

[14:45]

Hon. Mr. Norris: — Thank you very much, Mr. Chair, for the opportunity to respond. The member's question regarding events in New Brunswick has a couple components to it. And one relates to a specific bargaining unit, a specific union — that is CLAC, the Christian Labour Association of Canada. And it's one that we've heard during the initial debate in this Assembly. In fact the member, on April 22nd, 2009, the member from Regina Walsh Acres raised a number of questions about this particular bargaining unit in reference to the amendment.

And you know one of the opportunities is that . . . The members opposite may want to direct some of those questions to their now leader because, while an oil executive in Calgary, my sense is he'll probably have some knowledge of collective agreements that were put in place between now his former employer as it pertains to the Nexen Long Lake project and as well as another union, one that the members may be familiar with — the Communications, Energy and Paperworkers union.

The CEP has come out and said that this is significant step forward for Saskatchewan, that is, Bill 80 is a significant step forward for Saskatchewan. And Nexen has an agreement with Balzac, the Nexen Balzac, Alberta facility. And so you know, Mr. Chair, what we see is certainly experience available and present on the opposition benches regarding alternative unions. And I think that component of the question is probably the more curious of the two.

The issue as it pertains to New Brunswick, my sense is that many conditions that were peculiar and specific to operations in New Brunswick would probably help to explain the dynamics and evolution of those events and activities.

Mr. Iwanchuk: — Mr. Minister, this is a serious question, and I'm not sure which question you thought you were answering. But my question was about people who were laid off. And the Christian Labour Association of Canada brought in other workers from Alberta while people in New Brunswick were laid off. My question was, do you know what happened there? But further, further, what assurance can you give Saskatchewan people, now that you know about this, what assurance can you give Saskatchewan people that they won't lose their jobs to the cheaper labour from the Christian Labour Association of Canada?

The Chair: — If I can remind members, this is committee, not the Chamber. And if you could just keep it down a little bit.

Hon. Mr. Norris: — Mr. Chair, thank you, thank you very much for the opportunity to comment. Again commenting on the economy of Saskatchewan, while we know we're not immune from what's going on around us, certainly on a relative scale . . . And we've seen earlier this week where a comparison has been made on our relative rise within Confederation. Something that certainly I've received feedback and very positive feedback on.

The Bill, as I've said, has key components, And first and foremost, we want to make sure that there's greater clarity regarding abandonment. We want to make sure that there is greater choice, that is, the democratization of the construction sector within Saskatchewan. And certainly we want to make sure that there is a more robust and competitive construction sector. Importantly, as I've said and stated earlier, both within this Assembly and within other committee meetings, it is to reinforce this Bill, moderate in nature, and that is providing opportunities for both continuity and change.

And that's important within the current context, and it's important within any context. That is, those individuals and entities satisfied with existing relationships can have those relationships maintained. Those seeking change can also duly have that change expressed. And I think this is a responsible and appropriate measure to help modernize and move forward with the construction sector in our province.

Mr. Iwanchuk: — I guess we're in the same room, but I wouldn't have known that that was the answer to the question that was asked.

But further then, for the last 20 years, the Saskatchewan Labour Relations Board has ruled on matters of abandonment without requiring any specific legislative provisions to do so. The courts in Saskatchewan have through past rulings supported the Labour Relations Board authority to consider and make decisions on abandonment. This fact appears to have been lost on the government and in fact the government appears to be operating from an imperfect understanding of the facts around abandonment.

During the public hearings into Bill 80 held by the Human Services Committee, a senior public servant offers the following explanation and responds to an inquiry about abandonment. And I will quote directly from *Hansard*:

And so you saw in a situation with, at least in

Saskatchewan from 1984, where the issue of abandonment had been quite effectively dealt with by the Labour Relations Board.

That changed actually with the Graham Construction case. And the Court of Appeal in Saskatchewan found that there were problems with the Labour Relations Board exercising its discretion to address abandonment issues in that particular case because there was a lack of expression within the statute that gave rise to the authority, a stand-alone authority, to deal with the question of abandonment.

This was in *Hansard*, June 24th, '09. Does the minister agree with that official, what his official said in the committee on June 24th?

Hon. Mr. Norris: — Again thank you, Mr. Chair, for the opportunity. I think certainly what we want to undertake with the clarification that Bill 80 offers on abandonment is to ensure that through various decisions, both judicial and through the LRB, there have been various interpretations on abandonment. This offers an opportunity, an important opportunity for this government, as I have done with one of the initial questions, to put on the record quite clearly our interpretation of abandonment, which is consistent with best practices from across the country.

Mr. Iwanchuk: — Mr. Chair, my question to the minister was, does the minister agree with what his official said in this committee on June 24 — yes or no?

Hon. Mr. Norris: — Mr. Chair, again I appreciate the opportunity to provide one of the key rationales for moving forward on Bill 80, and that is to help address and offer clarification regarding Bill 80.

As the member makes reference to a specific clause or claim I'm not going to comment on, Mr. Chair. What I will do is just simply say it's one of the key reasons that we are moving forward on Bill 80. It's going to help ensure that there is greater clarification in the future. So thank you very much, Mr. Chair.

Mr. Iwanchuk: — Mr. Chair, the minister said that what I read to him, that my question was a claim. My question was not a claim. This is in *Hansard*, June 24, 2009. To the minister: does the minister agree with what his official said in this committee on June 24th? Yes or no?

Hon. Mr. Norris: — Mr. Chair, thanks very much for the opportunity once again to comment on the significance of abandonment. And there would be this attempt to turn this into a Manichaeian black or white, yes or no. The obvious response is, the context within which the member is speaking, it is varied. It has gone on for more than 22 hours within committee. There would be a variety of remarks. And so I would just simply speak to the principle of helping to ensure, of helping to ensure, Mr. Chair, that here in this instance, we are making a point of helping to clarify the provision of abandonment. We're doing that through Bill 80.

Mr. Iwanchuk: — Well, Mr. Chair, obviously a yes or no escapes the minister. But I'll tell the minister:

The above description is simply not true. [No, in fact] The Court of Appeal found that the Board did have the authority to make a finding of abandonment without legislative provision concerning abandonment.

Mr. Minister, no. No is the answer to the above question.

To paraphrase, the Court said that at least in the context of successorship application, as was the situation in the Graham case, the Labour Relations Board had the authority to declare that a union had abandoned its right to bargain collectively.

The problem for the Court of Appeal (and why the Labour Relations Board decision was ultimately quashed) was because of the way the Board exercised its discretion to find abandonment — in other words, the Court declared that the Board's finding of abandonment on the facts before it was contrary to how the Board and other jurisdictions in Canada have interpreted the law of abandonment. It was on this basis alone that the Court found the Board's decision unreasonable and quashed it.

Mr. Minister:

This all begs the question: if the Labour Relations Board has the authority to rule on abandonment and has in fact done so, with the support of the courts, what is the purpose of abandonment provisions in Bill 80?

Will the government commit to changing the abandonment provisions in Bill 80, given that they are clearly based on a false understanding of the law? Or better yet, Mr. Minister, will the government commit to scrapping Bill 80 in favour of working with the construction industry to come up with something that works?

Hon. Mr. Norris: — The issue that we've seen is that there have been differing interpretations of abandonment. This is meant to help ensure that there is clarification regarding that concept. And that's why this is so important to Bill 80 and more broadly to the construction sector here in the province.

[15:00]

Mr. Iwanchuk: — Mr. Minister, after a careful reading, the answer appears to be that the government is intending to dramatically change labour law in Saskatchewan to allow employers the use of abandonment as a back door to get rid of union certifications. If these changes become law, Saskatchewan will be the only jurisdiction, the only jurisdiction in Canada that has enacted legislation on a retroactive abandonment. Can you comment on that?

Hon. Mr. Norris: — Thank you, Mr. Chair. Once again what we're doing is working to ensure that there is a clear and clarified notion of abandonment. We need to ensure that this is taking place because certainly there have been different interpretations through the Labour Relations Board and through judicial bodies. That's the key element for us to make sure that we're moving forward on this. Thank you, Mr. Chair.

Mr. Iwanchuk: — The question for the minister was, why is

this legislation retroactive? And why would we be the only place in Canada where we would have this legislation? What was it that the minister saw, that his department saw, that made this necessary? What studies has he looked at to want to be the leader, the leader in Canada on this issue?

Hon. Mr. Norris: — Mr. Chair, I'll start with some broad remarks on this. Certainly when it comes to the legislation in this province as it relates to the construction sector, I think it's safe to say that we are simply adapting many of the best practices already under way across the country. As it relates to the context here within Saskatchewan and some of the specific history that we've had, what we're doing is offering the opportunity to ensure that there is clarification over what abandonment means within the construction sector within contemporary Saskatchewan. It's very important for us to do this, Mr. Chair, and that's one of the reasons that we're putting such emphasis on it within this Bill.

Mr. Iwanchuk: — Mr. Minister, the question was not why you're putting emphasis on it. The question was why you need to have it retroactive. I ask the question again. What was it that prompted you to want to be a leader to have retroactive legislation on abandonment in Canada?

Hon. Mr. Norris: — Mr. Chair, thanks very much. I've tried to provide some contextual frame around this as well as answer the specific question. The contextual frame certainly speaks to moving forward with Bill 80, and that is it's focusing on best practices that are already in place and available right across the country. What we're doing is simply catching up.

What's important here as it relates to the question of abandonment, what we see is that we have in this province some specific history, each province having a distinctive evolution, and as a result this is meant to help address some of the outstanding questions as they relate to abandonment. And that's why we're moving forward in this fashion, Mr. Chair. Thank you.

Mr. Iwanchuk: — To the minister: the contextual framework that I'm asking the question and obviously the best practices across the country do not include retroactive abandonment, so I'm not certain what he's talking about there. I'll try one more time. The question is, why do we need retroactive legislation on abandonment?

Hon. Mr. Norris: — Once again the significance of each province having its own distinctive labour relations history is embedded within the constitution. Then what we've done is we've said within the Saskatchewan context, within the Saskatchewan context being distinctive as each provincial context would be . . .

The Chair: — Excuse me, Mr. Minister, for one moment. Mr. Furber, I can't hear the minister respond. If you can keep it down a little bit.

Hon. Mr. Norris: — Thank you, Mr. Chair. Because each province has a distinctive historical evolution, especially as it relates to legislative, as it relates to the legislative approach to labour relations, in this instance the construction sector, what we're doing is moving forward in ensuring that we are

addressing some of the questions that have come up regarding abandonment within the context of Saskatchewan's labour relations history as it pertains to the construction sector. Thank you very much, Mr. Chair.

Mr. Iwanchuk: — Mr. Minister, I would suggest that you're moving backwards, that you're moving backwards and not forwards. But, Mr. Minister, as you know, Bill 80 favours voluntary recognition. Voluntary recognition is problematic for worker choice. Although it is allowed under the current construction industry labour relations Act, it is used rarely, usually by designating union in a relation to a project agreement.

What Bill 80 does is sets the stage for much more frequent use of voluntary recognition. And because it involves an employer voluntarily recognizing a union, it pre-empts the normal union certification process. This means that the Labour Relations Board is not involved and that in effect the union in question, which has been voluntarily recognized by the employer, cannot be decertified because it was never certified in the first place, whereas a union certification carries with it an annual open period where the members of the union can choose to decertify it for whatever reason. That open period does not exist in the circumstances of voluntary recognition.

The upshot is, is that workers who are members of unions that are voluntary recognized cannot ever decertify the union. How does this encourage worker choice?

Hon. Mr. Norris: — Thanks very much, Mr. Chair. I'm going to have Mr. Carr address some of the technical components and I'll come back with a few comments.

Mr. Carr: — Thank you, Minister. Again when we're dealing with project agreements, the situation arises where an employer and a union have entered into an agreement for the term of the project. When the project is concluded, comes to an end, then the agreement lapses and the normal provisions around employees exercising their rights under *The Trade Union Act* would become applicable.

Hon. Mr. Norris: — Great. Thanks very much, Mr. Carr. Again it's to highlight the significance of moving forward with this Bill and that is to ensure that there's a more competitive construction sector. That's one of the key elements and that's one of the reasons that we're moving forward with Bill 80.

Mr. Iwanchuk: — Mr. Chair, that didn't answer my question. The question is, is if a project was to take two or three years, in that time period under normal certifications there would be an open period at which time employees would have the right to choose which union they might want.

The answer is obviously not clear. The question I'm asking is if you do not come in under a legislative framework, where is the choice? I want to remind you also that we had in the hearings a company, Ledcor, come and said they'd bring CLAC. That is their union.

I was astounded. That's not the way we operate in Saskatchewan. We have worker choice. We vote on whether or not we want to join a union. Now that is the question here. That

is what we're trying to deal with and I would like you to explain this. This is very important.

Hon. Mr. Norris: — Thanks, Mr. Chair. Once again I'll take the opportunity to have Mr. Carr comment first.

Mr. Carr: — With respect to project agreements, the expectation of the legislation is again to recognize the fact that, under the existing legislation, project agreements are an occurrence of some note and to make it clear in the amendments that project agreements may be entered into by a project owner, a contractor, and any trade union, whereas now project agreements may only be entered into by the building trades unions.

Hon. Mr. Norris: — Great. Thanks very much, Mr. Carr. It speaks once again to that component of ensuring that there is a greater range of choice for workers as well as for employers. It speaks specifically to the democratization of the construction sector. Thanks.

Mr. Iwanchuk: — Mr. Minister, the question was worker choice. I think, I think your idea of worker choice and democracy is a sham. I think from what you're answering here today is confirming that for me. The question, the question was simply, are these workers . . . Maybe I could put it this way. Are these workers ever, ever going to vote on which union they want?

[15:15]

Hon. Mr. Norris: — Mr. Chair, thanks very much and once again I'll turn that over to Mr. Carr and then I'll offer some remarks.

Mr. Carr: — In the terms of the policy with respect to the idea of project agreements, the proposals in Bill 80 simply reflect what is a practice across all of the jurisdictions in Canada except, as I understand it, Quebec. In the circumstance that we have described under Bill 80 with respect to project agreements, it certainly provides an opportunity for employers and unions to come together around a project agreement, whereas now the project agreements that are entered into are exclusive in that they are between the building trades union only and the project owner and the contractor.

Hon. Mr. Norris: — Thank you, Mr. Carr. Certainly the question regarding the significance of votes is certainly encouraging as I recall the members of the opposition voting against Bill 6 which provided the provision for free voting. So thank you very much, Mr. Chair.

Mr. Iwanchuk: — Were we talking about Bill 6? I'm not sure with the answer because the minister said Bill 6.

Hon. Mr. Norris: — Thanks very much, Mr. Chair. And yes indeed, the reference was . . . I found the comments and the question encouraging. Perhaps it's an evolution for the opposition because they voted against Bills 5 and 6.

Mr. Iwanchuk: — Perhaps I should put this . . . Because we're talking about voting. We're talking about voting. So the question would be are you . . . Let me try this. Are you in

favour of workers who have been forced by the employer in the first instance to join a union of the employer's choosing being unable to decertify that union if they wanted to?

Hon. Mr. Norris: — Thank you, Mr. Chair, and again I'll ask Mr. Carr to comment.

Mr. Carr: — Thank you, Minister. I think perhaps to assist with this question, the normal provisions around certification for *The Trade Union Act* would still be applicable and open in a situation where there is a project agreement on a project.

And so that the expectation is that while there would be a project agreement perhaps between a union A and an employer B, that wouldn't prevent the employees employed on that project from exercising their rights under *The Trade Union Act* at some subsequent time to allow representation by a third entity, perhaps union C.

Mr. Iwanchuk: — To the minister: the question that . . . Perhaps I could put it in a different way. If in fact there is a voluntary recognition . . . and we recognize there's voluntary recognitions now. If this pre-empts the normal certification process where the Labour Relations Board is not involved . . . So you have CLAC, and as I mentioned earlier, I said that Ledcor came here and said they would bring CLAC here. If you get that kind of certification, how does this now fall within the legislation? How do the employees decertify? That is, in Saskatchewan how do they vote to decertify?

Hon. Mr. Norris: — Thank you, Mr. Chair. I'll get Mr. Carr to comment further.

Mr. Carr: — Thank you, Minister. The question addresses a situation where, as I understand it, there is a certification order present — that there's been voluntary recognition that leads to a certification order that would then lead to a collective bargaining agreement and an open period. And so there would be an opportunity in that example as described to have the employees exercise their rights under *The Trade Union Act* to in fact select a different bargaining representative during the open period and to bring an application to the Labour Relations Board to seek that effect.

Mr. Iwanchuk: — Further question, perhaps I could try this in a different way. The question is where there is no certification process. You're talking about existing, if I understand correctly, existing certification. We're talking about Ledcor coming and saying they would like CLAC to come here and be their union.

The question then is, if there's a voluntary agreement, how does that fall under either *The Trade Union Act* or *The Construction Industry Labour Relations Act*?

Hon. Mr. Norris: — Thank you, Mr. Chair. There's nothing within Bill 80 that would prevent decertification within *The Construction Industry Labour Relations Act* or *The Trade Union Act*.

Mr. Iwanchuk: — Mr. Minister, as a further assault on worker choice, Bill 80 will prevent workers that belong to a union that has been voluntarily recognized by an employer, which is always the circumstance with the Christian Labour Association of

Canada in the construction industry, from taking their union to task if they feel they have not been fairly represented.

Under the current labour relations model in Saskatchewan, if an individual believes that he or she has not been fairly represented by his or her union, that individual can, under section 25.1, *The Trade Union Act*, file the duty of fair representation complaint against his or her union with the Labour Relations Board.

Now Bill 80 neatly eliminates that option for workers because this section of *The Trade Union Act* applies only to certified unions, not to unions that have been voluntarily recognized. Again Bill 80 equals less choice for workers, Mr. Minister. Now I will get back to the . . . We're not finished with the voluntary recognition yet, in terms of certifications. But how do you answer this one?

Hon. Mr. Norris: — Thank you, Mr. Chair. There's nothing within Bill 80 that would change the status quo in this regard.

Mr. Iwanchuk: — Well perhaps we're having some difficulty getting ahead with some of those. Maybe here's something you can answer since we're having difficulty with some of the details. Just straight forward, is the Sask Party going to sit by while out-of-province CLAC members are coming into this province to work while Sask tradesmen are jobless? Are you going to do that?

Hon. Mr. Norris: — Mr. Chair, thanks very much for the opportunity to once again talk about the economic environment within which we are all operating. We know it's a complex environment.

We know that across Canada and well beyond, certainly there have been significant structural changes to the economy taking place. These have accelerated some long-term trends, and certainly we see that. When I think about some of those long-term trends, we can think about the significance of countries in Asia. We can think about some of the changes in manufacturing, for example, hitting some components and sectors here in Canada.

So as we look at the Saskatchewan context, this is within this complexity. Saskatchewan not immune from what's going on around us, and we certainly are attentive to that. What we see is we're relatively well positioned. What we're doing with Bill 80 . . . again a very moderate piece of legislation, and this is designed to ensure that we have a more robust and competitive construction sector within Saskatchewan.

And so what we're doing, Mr. Chair, what we're doing is to ensure that taxpayer dollars, as invested project by project, can be maximized. And that's our key goal. It's to help ensure that the working women and men within the construction sector have greater choice, have greater choice, and that certainly is embedded here. And in addition, we've made sure that we have offered clarification on abandonment.

So, Mr. Chair, those three principles are found within this, within these . . .

The Chair: — Members, I can't . . . Excuse me, Mr. Minister. I'm starting to have difficulty hearing the minister again. If

you'd like to place a question, if you'd take the front row and place a question.

Hon. Mr. Norris: — Thank you very much, Mr. Chair. Just to reiterate the fundamental principles embedded within Bill 80, those relating to helping to foster and facilitate a more robust, competitive construction sector within the province, those helping to ensure that working women and men within this sector have greater choice, and to ensure that there's greater clarity regarding the issue of abandonment. This is going to help move Saskatchewan's economy forward, Mr. Chair.

Mr. Iwanchuk: — Mr. Minister, I couldn't disagree with you more.

But let me ask you. I agree with you on this. There are structural changes occurring, and yes, we did go from a surplus to a deficit, in and out of recession. I think we're in it this week. Who knows about next week? We've spent all our money, and the last — as I read before — the Statistics Canada job numbers are not good. That question is not something that we need or that the climate is now open for the introduction of something like Bill 80. We've told you about New Brunswick and some of the things that can happen there.

Now in terms of the wall-to-wall certifications that you are talking about, apprenticeship programs, presently those are dealt with under a craft-by-craft basis. Can you explain to me, because I am on the side that says that apprenticeship programs will be impacted, can you explain to me how they will not?

[15:30]

Hon. Mr. Norris: — Thanks very much, Mr. Chair, again for the opportunity. Certainly we know from the construction industry the continued need for thousands of employees over the next decade, and certainly Bill 80 is attentive to making sure we have a more competitive and robust construction sector. As it pertains to the issue of apprenticeship — and I've addressed some of these concerns during my opening remarks — what's important is (a) the level of investment that this government has put forward regarding apprenticeships with more than \$17 million invested in apprenticeships and over 9,000 people participating in those programs.

The member asking the question will recall the dinner that he and I were both at recently here in Regina celebrating the good work of many of those graduating from the apprenticeship program. And so on this key element, investment is absolutely essential. We've put that forward. We're working to help meet that demand.

To the specific question, it's to his characterization, to his characterization of the apprenticeship program. The apprenticeship program works with both unionized and non-unionized entities and so I guess what I would do is say I think probably the picture that he paints is far from complete. This government is committed to the apprenticeship program. We've helped to expand it.

Again I don't think this is a particularly partisan issue. I think we continue to build upon the work that the members from the opposition had started. We've just worked to expand it. And is

there more work to do? Certainly more work to do, but we feel very confident that Bill 80 is in no way going to have negative effects regarding the apprenticeship program.

Mr. Iwanchuk: — Mr. Minister, the evening that you spoke of in Regina was an excellent evening and we agree with that. And I think it shows that the system is working, that the apprenticeship system is working in Saskatchewan. It's alive and well and we have everyone's support in the program. The minister was on stage handing out awards.

So I would like to ask the minister the following question, and there's always room for improvement, but who did he meet or what consultations did he hold that brought him to the conclusion that he needed to change the apprenticeship program in Saskatchewan?

Hon. Mr. Norris: — Mr. Chair, thanks very much for the opportunity. Obviously the dialogue and deliberation that goes on between the Apprenticeship Commission and the ministry occurs on a regular basis. It's certainly very helpful.

And I can make reference to this: *Labour Market Conditions for Apprenticeship Trades in Saskatchewan (2007 to 2010)*. This was published in the winter of 2008, and it will provide some information for the member pertaining to the question. And so more directly, as we look at provincial labour market conditions, 2007 to 2010, with what these projections look like in any number of areas pertaining to the trades and to apprenticeship, this is part of an ongoing dialogue.

And I'm not certain. Maybe there's more to the question than that, but that's part of our ongoing dialogue. And this is publicly available, Mr. Chair, for all members to consult.

Mr. Iwanchuk: — Mr. Minister, for a program that is working well, and you've heard there have been many submissions to you, that you will also be turning this program upside down as you are the industrial relations within the construction industry. On what basis and what research have you done to show us, to make us feel confident here in Saskatchewan that you're not just causing more turmoil?

Hon. Mr. Norris: — Again thank you, Mr. Chair. You know, our Apprenticeship Commission under the direction of the CEO [chief executive officer], Joe Black — Garry Kot is there as board Chair — it's doing very important work. It's recognized nationally for the work that is under way, and certainly it speaks to the spirit and level of collaboration that occurs right across the country.

And I think implicit within the question is perhaps another question. And that is, is the member suggesting that apprenticeship programs in other jurisdictions that have already gone through an evolution to allow multi-craft unions or similar arrangements — is he alluding or somewhere suggesting that those apprenticeship programs in other jurisdictions have suffered or are not adequate as a result?

Mr. Iwanchuk: — Well it's the minister here is to answer questions, but perhaps I'll put it this way, very simply. That evening, with all the people that were at the event, the apprenticeship awards, we also heard a good number of those

people come before us and say that there'll be an impact on the apprenticeship program. They were also at the awards where Saskatchewan apprenticeship program was said to be one of the best in Canada. And we're proud of our apprenticeship program.

Mr. Minister, to whom are you listening that allows you to make the decisions that would have a negative impact on the apprenticeship program in Saskatchewan, who people all around are saying is one of the best in Canada?

Hon. Mr. Norris: — Thanks very much, Mr. Chair. Certainly the construction sector council's recent report offers a significant input for any deliberation. This report forecasts the demand for skilled trades workers of over 4,000 by 2014. That provides one reference for us. Certainly as I say, the deliberation that has gone on between the ministry and the Apprenticeship Commission has helped to ensure that we continue the work that is vitally important. So thank you very much, Mr. Chair.

Mr. Iwanchuk: — Mr. Minister, some of the people who have worked in apprenticeship for a long time say that if you go to your wall-to-wall certification as you are proposing, that what will happen at the job sites is that you might have people who are trying to achieve, complete their apprenticeship program, not be moved on a daily basis. So that you might have an electrician moved to go and help a plumber or a carpenter, whereas now those people would be working within their craft.

And they're telling you this, Mr. Minister. I don't think they're just simply saying this for the good of using up some paper and their time, their valuable time. I think they are telling you something that is inherently positive in our system, that makes our system work, and that makes it one of the best in Canada. My question to you: why are you messing with what works?

Hon. Mr. Norris: — Thank you very much, Mr. Chair. One of the key components relates to the tracking of hours, and obviously that system, that fundamental component is going to continue. It speaks to the broader question about an emphasis on apprenticeship, and that is, this government has come into office. We have made sure that we have invested with more than \$17 million in apprenticeship, helping to train more than 9,000 people, and that's a 64 per cent increase, as I've said, since the middle of the decade.

It's certainly not a partisan issue in any way. It's just simply meant to ensure that we continue to build upon investments that have been made by the previous government. And we will continue to do that, Mr. Chair.

Mr. Iwanchuk: — Mr. Minister, Mr. Minister, there is no doubt that we know that you know how to spend money. There's no question that you know how to spend money. And the issue is, the issue is, is do you spend it effectively and do you expend it in areas where it's necessary? To politicize this committee and give one of your speeches is not on, is not on.

The question is, there's a system that works. We should be trying to improve it. And you have told us you're going to throw more money at it. The question is not whether you're putting more money in it. It is more thought. And what else are

you doing to improve it, or why are you trying to dismantle it?

Because the people who work on a day-to-day basis . . . And I'm likely to listen to those folks. I'm likely to listen to the plumbers and electricians out there and the carpenters and all the other tradespeople that are there. I'm likely to listen to those as they tell me that you're dismantling the apprenticeship program.

And you come, and you come here today, and you come here today, and you tell us you're going to put more money. I say you're wasting money. And that has, that has been shown across a lot of departments. But the question is, the question is again . . .

The Chair: — Mr. Iwanchuk, you can direct your questions through the Chair.

Mr. Iwanchuk: — The question is, when you hear all of these people who are involved, this is their day-to-day bread and butter. This is what they do. They work for this to bring money home to their families. They take pride. They take pride in their professions.

When these are the people that are coming to you, when they came to these hearings and they told you that this was not going to work, why are you pushing ahead and now telling us you're going to throw another \$17 million to make this project that you've got going work? It's not going to work. We're telling you that right now. Could you please comment on that.

[15:45]

Hon. Mr. Norris: — Mr. Chair, thanks very much for the opportunity to comment on the significance of those participating in and graduating from our apprenticeship programs. Importantly within the construction sector we know that there is an 80/20 split — that is, 80 per cent of the sector is non-unionized, 20 per cent is unionized.

We know that both unionized and non-unionized firms participate, participate actively and supportively within the Apprenticeship Commission. The investments that we have put forward simply reinforce the significance of the apprenticeship program within the province. Bill 80 will not change the fundamental components of a system that's working very well.

To the broader questions that the member from the official opposition was asking, the reference to wasting money, I'm happy to have that debate and deliberation. And if you would like to spend some time doing that here, I'm happy to do that here, or we could do that in the House.

We have invested significantly in post-secondary education. We have invested significantly in skills and employment training. We have invested and continue to invest significantly in the apprenticeship program. We are doing and making these investments to ensure that Saskatchewan is well-positioned for growth in the future. And I'm happy, as I say, to go down that list.

Maybe the member is suggesting that we wouldn't participate in the KIP [knowledge infrastructure program] program when the

federal government came out and said, here's the knowledge infrastructure program. Maybe he's suggesting that we wouldn't have gone and received funding that helps in Estevan, where we were on the sod-turning. Maybe he says to the folks in Humboldt that they shouldn't have had those reinvestments regarding St. Peter's. And across the province we can go, Mr. Chair.

What we can see, Mr. Chair, is the question, the question as it pertained to apprenticeship. The apprenticeship program remains a priority for this government. The additional framing that he put around that question I find very curious, and I'm happy to debate him any time about the investments we're making through the Ministry of Advanced Education, Employment and Labour.

Mr. Iwanchuk: — I am also prepared to debate the minister. But I'm going to just summarize what we've heard today as an attempt at deskilling and driving down the wages of Saskatchewan residents. That's what I see happening here.

Mr. Chair, Mr. Chair, we saw this in the '80s. We saw this little game in '80s before. We saw this because they can't, they can't, this government just can't get their hands on trying, get their head around about trying. They would just love to spend money, but also do it cheaper. Also do it cheaper because anyone who is involved in this can see through this.

And they are seeing through this government and this minister in terms of what he is trying to do here. There is nothing here. There is nothing here to encourage democracy. There's nothing here that we heard to encourage free votes. There's nothing here for unions to get out, or members of unions to get out once they have had voluntary recognition because he's not answered those questions. He's not answered those questions.

So I would like to hear from the minister. I would like to hear from the minister how he sees this as not driving down the wages, because he wouldn't answer the questions when we talked about laid-off workers here in Saskatchewan. He wouldn't that question. He wants to flood the province with other workers while our workers sit on layoff. So I would ask the minister, why Bill 80? Why Bill 80, when what it's going to do is create cheap labour in Saskatchewan while our people will be either forced to either work for a cheaper wage or starve?

Hon. Mr. Norris: — Mr. Chair, not certain in that meandering question if the member had a point. But let's, let's review, let's review the track record from the official opposition. Indeed, indeed there are people flooding into Saskatchewan, Mr. Chair. There are people flooding into Saskatchewan. Tens of thousands of people left this province while the members opposite governed the land and lowered expectations to the point where people saw hope only outside the province.

We've seen, since we have taken over, Mr. Chair, a population growth that hasn't occurred in the last 50 years. We continue to make progress on this. We continue to ensure that we have taken 80,000 people off the tax rolls. Those least able to afford those taxes, we have taken those off the tax rolls. We have cut the debt by 40 per cent. We have invested in post-secondary education. We want to make sure that there is a more robust and competitive, more robust and competitive construction industry

sector within Saskatchewan.

That's why we're moving forward with Bill 80, Mr. Chair. That's why we're moving forward to ensure that there's greater clarity around abandonment. That's why we're moving forward to ensure that workers, both women and men working in the construction sector have greater choice. That's why Bill 80 is so important. That's why we're doing this diligent work today. That's important.

Some of the other themes that the member of the opposition has presented, they are associated most with those from the official opposition.

Mr. Iwanchuk: — Mr. Chair, we told them about the budget, and now I'm going to tell them what is going to happen because it happened in the '80s. The largest out-migration was after they changed *The Construction Industry Labour Relations Act* last time. They do not have the expertise and that is clear, and that is what is going to happen. So if he wants a little bit about history, a little bit about history, the greatest out-migration was after that. It decimated, it decimated the trades, decimated the apprenticeship programs.

And it is not funny. It is not funny because I see people smiling over there. It's not funny at all because we're talking about the residents and families of the workers in Saskatchewan.

Now I ask you again very clearly when it comes to apprenticeship, because apprenticeship is at the heart of what we're talking about here, if the experts in the field — experts that you and I had supper with that night, that we applauded the awards of all companies, union or not — if those people are coming to you and they are saying, don't touch this. This works. We might need some improvements. Why and who is it that you are catering to in making these changes? Can you answer that?

Hon. Mr. Norris: — Mr. Chair, the apprenticeship program, as I have already highlighted, is a vital priority for this government. It's one of the key reasons that we have ensured that we have made investments. We work collaboratively through the ministry to the commission. Then what we want to make sure is that the significance of the apprenticeship program continues to have that priority.

As I've already said, Bill 80 is not going to affect the apprenticeship program. In fact, 80 per cent of this sector, 80 per cent of this sector is non-unionized, 20 per cent is unionized. We know the apprenticeship program works with both. And, Mr. Chair, we don't anticipate, we don't anticipate that that is going to, we don't anticipate that that's going to do anything but be bolstered, Mr. Chair.

Mr. Iwanchuk: — Mr. Minister, since you are so much on worker choice and votes, the Dorsey Commission, the Dorsey Commission — and we're talking about industrial relations, labour relations models — outlined for us that nurses . . . There would be different unions. There would be different unions that were sent different classifications of workers. It was laid out. There were some exceptions, but overall there was that.

With CLAC coming in, because you're cheerleading for CLAC,

and I would ask this question: are you prepared that CLAC should get into the health care sector and do wall-to-wall organizing in health care?

Hon. Mr. Norris: — Mr. Chair, we're focusing on the construction sector and, importantly, we have presented three key principles that help to inform why we're moving forward in the construction sector. We want to make sure that there is a more competitive construction sector here in the province. We want to make sure that there is greater choice. And we want to make sure that there is greater clarity regarding abandonment.

We know that within Saskatchewan and within the Canadian context, *The Construction Industry Labour Relations Act* is one of a kind within the country. And so the comments that I'm going to offer and have been offering for nearly two hours now, these comments pertain specifically to the construction sector. Thank you, Mr. Chair.

Mr. Iwanchuk: — To the minister: has the Premier put you forward to lead in retroactive legislation, retroactive legislation abandonment? Is the Premier now asking you to be the leader in wall-to-wall health care sector?

Because it won't take very long — and I put this to you — it won't take very long for people to say, well why don't we just do that? We've done that in the construction industry. Why don't we also cause turmoil in health care? Why not do that? You've already done that with essential services. Why not do that with this Act? Are you leading the charge in wall-to-wall organizing in the health care sector?

Hon. Mr. Norris: — Mr. Chair, appreciate the opportunity to reiterate that Bill 80 focuses explicitly and exclusively on the construction sector within Saskatchewan. And as I've said, we're bringing this forward for three principal reasons: a more competitive construction sector; we want to make sure that there's greater choice; and we want to make sure that there's greater clarification regarding the issue of abandonment. This pertains directly to a very distinctive piece of legislation, even within the Canadian context.

And so my comments today have been and will remain focused on the construction sector.

Mr. Iwanchuk: — To the minister, for all those people watching and understanding the meeting, when you are here you also speak on behalf of your government. To hide yourself and say that I am only speaking on a partial, on one Bill, you are sending out signals. And people are asking us those questions. They're asking us those questions.

And no doubt you have talked and received your orders from the Premier on this, received your orders from the Premier regarding abandonment: that you would put in retroactive legislation, that there is no other legislation like that in all of Canada, that you are prepared to look at destroying an apprenticeship system which does not need fixing, that you are prepared . . . People ask us is, are they prepared now? Is the Sask Party government prepared?

Now you answered this question last time, so maybe you can answer it. When I asked you about the Sask Party government

standing around while Saskatchewan workers weren't working and you answered that one, perhaps you can answer this one. Are you today saying that your government is preparing to look at wall-to-wall certification in the health care sector? Yes or no?

Hon. Mr. Norris: — Mr. Chair, for the better part of two hours, we have endeavoured to answer the questions as they pertain, Mr. Chair, as they pertain to the issues surrounding Bill 80. That Bill relates directly to *The Construction Industry Labour Relations Act*. So the issue that the member raises certainly would go outside the purview of this work of the committee and certainly outside the purview of any remarks that I have. I'm just focusing on the construction sector.

Mr. Iwanchuk: — And, Minister, perhaps to go back. The consultations then, the consultations that you did outside — because I questioned the people who came here and spent hours putting forward their ideas — those consultations that were outside of the public hearings, again, how do you intend to report back to the public on those consultations?

Hon. Mr. Norris: — Thanks very much, Mr. Chair. Again the process that we have followed has been a legislative process that has been certainly open and transparent. What we have also done within the ministry is we have received any number of opinions, and we've certainly taken those opinions and position under advisement. And we've learned a lot along the way, just as I'm sure the members on the respective sides of the committee have also learned through the public processes.

[16:00]

So, Mr. Chair, that part of our work has been very helpful. And I would just simply say that it complements the work that has gone on through this committee.

The Chair: — Mr. Iwanchuk, Mr. LeClerc had his hand up for awhile now. Mr. LeClerc.

Mr. LeClerc: — Mr. Chair, seeing that the minister agreed to appear before this committee for a final two hours before, and it now being past two hours, past 4 o'clock, I would suggest and move that this committee do now adjourn.

The Chair: — Mr. Broten.

Mr. Broten: — Given that for a long time, starting shortly after 2 o'clock when we began, given that there was considerable confusion created by members opposite and delaying of the commencement of proceedings, I know there are many member here with more questions. And we'd like to keep on asking, please.

Mr. Chair, and given that we started later, it is our expectation that we can carry on.

The Chair: — Mr. Hart.

Mr. Hart: — Mr. Chair, motions to adjourn are not debatable. It's for the committee to vote. There's to be no debate. And I would suggest, Mr. Chair, that you call the vote.

The Chair: — Mr. Hart, your point is taken. All those in favour

of adjourning, hands up. Opposed? That's 2 to 4. This committee stands adjourned.

[The committee adjourned at 16:02.]