



Province of Newfoundland and Labrador

FIFTIETH GENERAL ASSEMBLY
OF
NEWFOUNDLAND AND LABRADOR

Volume L

SECOND SESSION

Number 7

HANSARD

Speaker: Honourable Derek Bennett, MHA

Tuesday

October 18, 2022

The House met at 1:30 p.m.

SPEAKER (Warr): Order, please!

Admit strangers.

In the public gallery today I would like to welcome Mrs. Rita Manning. She's joining us this afternoon for a Member's statement. She's joined by her son, Gerry.

I certainly want to reach out and thank the Member for Cape St. Francis for bringing Mrs. Manning here today. She's a personal friend of both the Minister of Finance and President of Treasury Board and myself.

Welcome Mrs. Manning.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

SPEAKER: Today, we will hear statements from the hon. Members for the Districts of Burin - Grand Bank, Ferryland, Terra Nova, Exploits and Cape St. Francis.

The hon. the Member for Burin - Grand Bank.

P. PIKE: Speaker, there's a new game in town. Cornhole is a form of recreation which is enjoyed by thousands of Newfoundlanders. It is a year-round sport that is age-friendly and sociably enjoyable.

It is my pleasure today to recognize Deon Cuza and Albert Parsons, originally from Point May, a community in the District of Burin - Grand Bank. Deon and Alberta are the first two players to become pro outside of Ontario and have received contracts with the American Cornhole League.

Both have been noticed by the pros for outstanding play at the Canadian Open in Niagara Falls, where Deon was the top Canadian player, and the European Open in Amsterdam, when Albert won third place for the singles 55+ group.

This year, both will compete at the national tournaments and world championships in South Carolina.

Deon and Albert are great ambassadors for the community of Point May and indeed the Province of Newfoundland and Labrador.

I ask all hon. Members to join me in wishing Deon Cuza and Albert Parsons continued success.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Order, please!

Before I recognize the Member for Ferryland, I want to welcome representatives from the St. John's Fire Fighters Association here in the House of Assembly today.

Welcome gentlemen.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

I rise today to congratulate a very well-known and dedicated individual, Mr. Ron Doyle, from the Town of Petty Harbour-Maddox Cove, on receiving the inaugural 60+ Atlantic Canada Achievement Award.

Ron is a very well-known citizen in the Ferryland District. He's mostly known for his countless hours of volunteerism. Ron has been giving freely of his time since a young adult and has devoted most of his life to volunteering and helping others.

Ron founded the Petty Harbour-Maddox Cove museum and War Memorial committees and served on many other committees such as the development corporation, recreation committee and the Petty Harbour-Maddox Cove town council, where he currently serves as mayor.

Ron plays a major role in the organization of a few annual events in the town, such as Petty Harbour Days, the Arts and Heritage Festival and the annual Remembrance Day ceremony. Over the years, Ron was a coach to many teams. As a well-known musician in the area, Ron shared freely of his talent and time for various fundraisers.

Speaker, I ask all Members in this House of Assembly to join me in congratulation Mr. Ron Doyle on his well-deserved award.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The Member for Terra Nova.

L. PARROTT: Thank you, Mr. Speaker.

I stand today, once again, to boast about the volunteers in the District of Terra Nova.

Southwest Arm residents have been a very active group of volunteers, whether it's the firefighters, church groups or the school volunteers, they all come together and support all activities in the area.

Southwest Arm Academy school offers a school breakfast program that is enjoyed daily by the students. Staff and volunteers are utilized now more than ever. Their Walk to Breakfast is one of the major fundraisers that help students on a daily basis. Last year, this fundraiser raised over \$6,000.

This year's walk will take place October 27 in conjunction with their cereal box domino challenge. It takes a lot of money, time and volunteers to put off a program like this and they continue to have amazing community support, along with Kids Eat Smart matching every dollar that is donated to the program.

Please join with me in congratulating the students, staff and volunteers of the school breakfast program for their unending support.

A healthy breakfast is a key to learning.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Thank you, Speaker.

The Botwood Mural Arts Society is celebrating its 12th anniversary. Established in 2010, this small group of 10 volunteer directors has been showing the province, the country and the world that small towns can do big stuff. The society's main goal is to establish Botwood as a tourism destination through the creation of outdoor murals that portray the town's rich and diverse history.

In 2021, the society held its first street art festival, LaRUE, bringing an urban concept to a rural area by engaging young provincial artists and musicians. In just four days, five huge street art murals were completed.

Speaker, the Botwood Mural Arts Society has now created 17 permanent murals painted by provincial, national and international artists. Four of these 17 murals were unveiled during Come Home Year 2022. As the Botwood Mural Arts Society's slogan says: Come see what we see.

Speaker, I would like for all Members in this House of Assembly to join me in congratulating the Botwood Mural Arts Society on its achievements over the past 12 years.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Speaker.

I rise in this hon. House today to recognize the outstanding accomplishment of my aunt,

Mrs. Rita Manning from Torbay. In 1972, Rita began working for the newly incorporated municipality, the Town of Torbay, under the first mayor, the late William Manning.

Speaker, for 50 consecutive years, Rita was responsible for keeping the town hall clean and everything in order, and she certainly did just that. Over the past 50 years, Torbay has seen many changes in mayors, councils and staff coming and going but, through it all, Rita was the one person who remained constant.

A lady of strong morals and family values, accompanied with a pleasant, friendly demeanour and a work ethic that is unparalleled, Rita is certainly held in high regard, as she has earned the respect and admiration of the town's officials, staff and residents over the last five decades – a lifetime of work which she thoroughly enjoyed.

Speaker, I ask all the Members of this hon. House of the 50th General Assembly to join me in congratulating Mrs. Rita Manning on her 50 years of service with the Town of Torbay and wish her all the health, happiness and all the best in the years ahead.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Statements by Ministers.

Statements by Ministers

SPEAKER: The hon. the Minister of Immigration, Population Growth and Skills.

G. BYRNE: Speaker, every year this government assists more than 2,300 women to acquire the skills training they need to secure employment. We also support some 70 women annually to create jobs for themselves and jobs for others by starting their own businesses. Annual funding of up to \$1 million is also provided for wage subsidies as provided to the Office

to Advance Women Apprentices; an office that continues to be heralded as a model for other provinces to follow.

Speaker, while we provide support to thousands of women, today I would like to briefly tell one woman's story, to best illustrate how investing in people can transform lives.

In 2021, Holly Linklater approached her local Immigration, Population Growth, and Skills office to express an interest in pursuing carpentry at the College of the North Atlantic Clarenville campus. Holly was experiencing difficulty securing long-term employment and decided to pursue her passion for carpentry. She admitted she had some reservations, as carpentry is a male-dominated field, but she persevered.

With support from our Skills Development program, Holly excelled. Out of 10 courses, she received 100 per cent in seven of the courses and 95 per cent in the remaining three.

SOME HON. MEMBERS: Hear, hear!

G. BYRNE: She's working hard to build up that other 5 per cent, apparently.

Holly graduated from the carpentry program this past June and immediately secured employment with Newfound Builders of Brigus who are featured on HGTV's *Rock Solid Builds*. She is currently registered with the Office to Advance Women Apprentices and employed through the help of the apprentice wage subsidy program.

Speaker, my congratulations and the congratulations of this entire House is extended to Holly. My thanks for allowing me to share her story for the purpose of inspiring more women to choose her path and to help build the Newfoundland and Labrador of tomorrow.

Speaker, here's to many women who will follow and succeed in Holly's footsteps; we need them all.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Speaker.

I'd like to thank the minister for an advance copy of his statement.

Speaker, on behalf of the Official Opposition I'd like to recognize the incredible contributions that women make to our workforce. The hard work of pioneering women in the trades in Newfoundland and Labrador is clearly paying off.

Whether it is attaining their Red Seal or starting their own business, many women in Newfoundland and Labrador have achieved outstanding milestones in their professional lives. As these women excel, they raise up others and pave the way for the next generation of capable entrepreneurs.

Speaker, we would also like to thank the staff at the Office to Advance Women Apprentices for their hard work in supporting these bright, young women in achieving their goals. Their programming has clearly made a big difference in the lives of many women and has greatly enriched the workforce.

To all women that want to explore the trades, a simple message: You are a source of unending inspiration, please keep up the good work and we thank you.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for St. John's Centre.

J. DINN: I thank the minister for an advance copy of his statement.

I will remind the minister and this government the stories of Krista Stephens and Sarah Stevenson, two women who decided to pursue advanced training only to have their much-needed drug coverage cut by government and create unnecessary hardship. One has had to drop out as a result. Government has failed them.

We need this government to take meaningful steps to ensure no woman faces obstacles in pursuing advanced training or is forced to drop out as a result. Maintaining provincial drug coverage is an essential component.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Further statements by ministers?

Oral Questions.

Oral Questions

SPEAKER: The hon. the Acting Leader of the Official Opposition.

B. PETTEN: Thank you, Speaker.

Seven families in Central Newfoundland are heartbroken after being betrayed by a system that is entrusted to care for their loved ones. According to the *Adult Protection Act* abuse includes humiliation.

Why is the minister and his government refusing to direct an investigation under the *Adult Protection Act*?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, I think the Member is aware that the RCMP is actively investigating the situation in Central. I know

Central Health is also investigating. We are awaiting the results of both of those investigations, and I'm certain that both the RCMP and Central Health will carry out a fulsome investigation of what has happened.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Acting Leader of the Official Opposition.

B. PETTEN: Thank you, Speaker.

I mean, the numbers are increasing and Central Health is not speaking to the families. That's a huge problem. And ultimately those individuals are in the care of the province – the province is responsible ultimately, and it's incumbent on them to take the proper action. We need a criminal investigation, but the people of the province need confidence in long-term care.

Minister, will you ask the Seniors' Advocate to review the culture of long-term care homes to ensure this issue is not widespread?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Speaker.

This incident is not only shocking, but it's unacceptable. It's unacceptable in any health care institution. It's unacceptable in any regard.

Mr. Speaker, there is a criminal investigation under way by the RCMP. That is actively happening. They are actively involved in the investigation of this. Central Health is also investigating why this happened and how it happened.

Mr. Speaker, once we get the results of that investigation, we will determine if other actions are necessary.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Acting Leader of the Official Opposition.

B. PETTEN: Thank you, Speaker.

I repeat, we shouldn't be letting stuff just slide. Why not have the Seniors' Advocate go in? What harm are we going to cause? I mean, I don't see any reason why one thing can't happen, they can't happen together. Seven families have been impacted, which means at least seven victims of abuse, leaving many more families worried that their phone may ring next.

When is the minister going to provide a proactive disclosure about how widespread this abuse is in our long-term care system?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, we are aware of the situation in Central Health. All health authorities should be ensuring that this is not happening within the health authorities or within long-term care facilities.

When it comes to the Seniors' Advocate, Mr. Speaker, that is an independent office. The Advocate is more than welcome to step in and investigate this. In fact, the Member opposite is welcome to write a letter to the Seniors' Advocate if he feels that that is a course of action he'd like to take.

When the investigation is completed by the RCMP and by Central Health, if that is necessary that will happen.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The Acting Leader of the Official Opposition.

B. PETTEN: Thank you, Speaker.

I will remind the minister ultimately they are responsible. They hold ultimate responsibility.

Speaker, Newfoundland and Labrador has a world-class workforce with the capacity to construct topside and subsea work, mating and commissioning of the Bay du Nord FPSO right here in our province. Trades NL are advocating for maximum local construction jobs for this project, and we agree.

Will the government commit that this work will be done in the province by Newfoundlanders and Labradorians?

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Industry, Energy and Technology.

A. PARSONS: Thank you, Mr. Speaker.

I'm certainly happy to get this question today. It's one that's top of mind in our department.

I also met with Trades NL last week as well as the Premier so we could discuss the scopes of work that are going to take place with Bay du Nord upon sanction. I will point out that we are not at sanction yet. The reality is that there was framework agreement struck in 2018. Things have changed since that time and we are on a day-to-day basis working with Equinor to determine work scopes going forward. Like everybody in this House, we want to see the majority of it done by Newfoundlanders and Labradorians.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The Acting Leader of the Official Opposition.

B. PETTEN: Thank you, Speaker.

The minister knows that 2024 is sanction, but most of this construction work is happening right now so at sanction it will be all done. We need to act now, not in 2024.

Speaker, the province has a signed provincial benefits agreement for Bay du Nord Project.

AN HON. MEMBER: (Inaudible.)

SPEAKER: Order, please!

B. PETTEN: Will the government assure that the majority of construction jobs on the FPSO are located in this province so that when the vessel sails to the Flemish Pass, it leaves the shores of our province not the shores of foreign countries?

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Industry, Energy and Technology.

A. PARSONS: Certainly, Mr. Speaker, I guess myself and my staff, we certainly don't need any reminder as to this process in this project. We have been working extremely hard at this for some time, especially as it related to advocating with the federal government to have the project go through the environmental assessment proposal.

SOME HON. MEMBERS: Hear, hear!

A. PARSONS: The reality is we are not at sanction yet, but, hopefully, that date will close soon. We are working with the company. We are letting the company know on a daily basis that this is a project that is meant for the benefit of Newfoundlanders and Labradorians, that it can be constructed by Newfoundlanders and Labradorians and we have a strong history when it comes to offshore projects being done with Newfoundland and Labrador expertise. That will not change and we continue to put that forward every single day with Equinor.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Acting Leader of the Official Opposition

B. PETTEN: Thank you, Mr. Speaker.

I make no apologies for asking questions in support of the oil and gas industry and the workers. That's our job as Opposition.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: The Oil and Gas Industry Taskforce recommended a more collaborative engagement of labour throughout the development of offshore projects. Members of Trades NL have physically worked on every megaproject in the history of this province and have the knowledge and capacity for the Bay du Nord Project.

We have met with Trades NL and we know the Premier and the ministers met with Trades NL, so will you ensure labour is engaged and satisfied before you finalize the benefits agreement?

SPEAKER: The hon. the Minister of Industry, Energy and Technology.

A. PARSONS: Thank you, Mr. Speaker.

Again, all I can say is that we have shown a track record in the last couple years as it relates to the oil industry in this province. When I got in this role, when the Premier came in, we look at Terra Nova, which was offline; we look at West White Rose, which was offline; we look at Bay du Nord, which hadn't gotten through the environmental assessment. At this point, Terra Nova is getting ready to come back here, West White Rose is sanctioned again and hopefully we will see a sanction on Equinor.

We will continue to work with Equinor and we will continue to advocate for Trades NL, Energy NL and we want to see the majority of that work done here in Newfoundland and Labrador. We're not going to see it done in Romania. We're not going to see it built

over in Romania. We want to see it done here in Newfoundland and Labrador.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: It would be nice, Speaker, to have an assurance that work would be done here in Newfoundland and Labrador now, currently, in 2022.

Speaker, every Liberal Member in this House voted for a carbon tax and a sugar tax, including the minister responsible for poverty reduction. The Liberals want to take more money out of the pockets of Newfoundlanders and Labradorians and it is probably as simple as that.

Has the minister for poverty reduction advocated to axe these unnecessary taxes that are driving more people into poverty in this province?

SPEAKER: The hon. the Deputy Premier.

S. COADY: Thank you very much, Speaker.

I know the Members opposite continue to discuss the sugar tax, but allow me to again say to the people of the province that we are certainly not interested in – we would like to take any money that we gain from the sugar tax and put it back into programs and that's what we've done through the Kids Eat Smart program, through the physical activity program –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

S. COADY: – through the prenatal nutrition programs. Speaker, it's very important we do that.

Allow me to read from a letter from the
Hearth and Stroke Foundation that says our

—

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

I want to hear the speaker that I have
recognized to speak.

Thank you.

The hon. the Deputy Premier.

S. COADY: Happy to quote from the letter,
Speaker, it says, “Our organization has long
supported a sugary drinks tax as one
mechanism to help address the social
determinants of health and are delighted to
see Newfoundland and Labrador step
forward”

SPEAKER: Order, please!

I remind the hon. minister that her time has
expired.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for
Bonavista.

C. PARDY: Speaker, we are the only
province in Canada that has a sugar tax and
there is a reason for that. I think we should
table the study done by Northwest
Territories when they studied the sugar tax
and implementing that tax.

The Deputy Premier —

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

C. PARDY: The Deputy Premier had
referenced previously that she can’t control
the carbon tax, so let’s talk about something
that the government can control, the sugar
tax. It’s an unnecessary tax grab that is

taking more money out of Newfoundlanders
and Labradorian’s pockets.

I would ask the Minister of Children, Seniors
and Social Development where in the
Poverty Reduction Strategy does it say
implement a sugar tax?

AN HON. MEMBER: He’s not allowed to
answer.

SPEAKER: The hon. the Deputy Premier.

S. COADY: The Member opposite is
referring to taxation; I’m responsible for
taxation.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

S. COADY: I’ll certainly take these
questions.

Speaker, allow me to say that we have the
highest rates of diabetes. We have one of
the highest rates of heart and stroke
challenges. I can continue to quote from
both the Canadian Cancer Society, the
World Health Organization, the Canadian
Pediatric Society.

But allow me to quote from the British
Medical Journal, where it says, and I’m
going to quote: “When all taxed and untaxed
soft drinks were combined, the volume of
drinks” — because of the sugar tax —
“purchased did not change, but sugar
purchased in these drinks decreased”

I’m happy to table this evidence.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for
Bonavista.

C. PARDY: We would like to see a
decrease in the poverty reduction in
Newfoundland and Labrador —

SOME HON. MEMBERS: Hear, hear!

C. PARDY: – not only the sugar consumption.

Another thing I would state on this is why not invest money in making sure that the intermediate health program in Grade 7 and 8 would have a teacher resource book that was published past 1990. That would be another good addition in our intermediate health program.

SOME HON. MEMBERS: Hear, hear!

C. PARDY: Speaker, the Liberals continue to be focused on taking money out of people's pockets. It has been reported that the average rent in our province ballooned almost 30 per cent over last year.

When will the minister responsible for poverty reduction introduce specific measures to deal with our housing crisis?

SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

I'm recognizing the Minister of Children, Seniors and Social Development and this is the gentleman I want to hear.

J. ABBOTT: Speaker, thank you for the opportunity to respond, and thank you for the question.

In terms of housing and affordable housing in the province, through the Newfoundland and Labrador Housing Corporation, we're doing significant investments in expanding the housing stock. We're working with landlords through our Rent Supplement Program so we are meeting the needs. We are also monitoring rent increases to make sure that our programs keep up with those.

So as we sort of sit here in the House today, we're working with the community, we're working with the advocates in the community to make sure we can address the housing needs right across the province.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Speaker.

In September, a man from the West Coast was charged with human trafficking. During the news conference, the RCMP praised the work of the Blue Door program. However, earlier this year, the minister allowed funding for Blue Door to end after five years.

I ask the minister: Do you regret standing idly by and letting Blue Door's funding lapse?

SPEAKER: The hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Mr. Speaker.

Again, I would certainly applaud the work of Blue Door. It was a federal program that we know started five years ago with big federal money. Since then, we have met with the executive director and we're willing to certainly help Blue Door in any way that we can in assisting for new funding. It's my understanding that they found resources and they are able to continue this good work.

On that note, Mr. Speaker, I'm happy to say that in my office, we provide funding for SHOP, which is the Safe Harbour Outreach Project, that's actually under the St. John's Status of Women Council that helps women, of course, and individuals who are in the sex trade.

So again, we're here to help our community partners in any way that we can and we applaud the work that they are doing on the front lines, helping victims who need the help the most.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Speaker, the minister had the opportunity to keep the Blue Door open and she failed, as well as her government. Speaker, the Blue Door program was instrumental in bringing a serial human trafficker to justice. That was just one of the many benefits of this program.

Will the minister commit to reinstating funding for the Blue Door program?

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Mr. Speaker

Absolutely. As a matter of fact, I want to inform this House and my colleague of the reach outs that we've actually done to the federal minister to actually help arrange meetings with the executive director here of Blue Door. So we're certainly willing to help in any way. It's about a half a million dollars annually asked, that cost the Blue Door program.

So if the Opposition has that amount sitting around, by all means, I mean they're certainly welcome to do what they can. But again, we're willing to work, we have had meetings and that federal program, as we know, came from the federal government some time ago. But like I said, we'll do

everything that we can to help our community stakeholders.

SOME HON. MEMBERS: Oh, oh

SPEAKER: Order, please!

I'm really not interested in taking speaking privileges away from anybody today. So I want to hear the person that I recognize to speak.

The Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

It seems the Blue Door is going to remain shut and never open, apparently.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

P. DINN: It's not going to get the funding that it needs.

Speaker, yesterday in debate the Minister Responsible for Women and Gender Equality said she wanted to highlight – quote – the important advancements in IVF that this government has done for families – important advancements – and then failed to highlight anything at all.

I ask the minister: Outside of a small travel subsidy, what has government done for IVF in this province?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Speaker.

We have provided a travel subsidy because we know that the clinic in Halifax is well established and the clinic in Calgary is well established. I can speak from personal experience, Mr. Speaker, in saying that individuals choose to go where they're going to get the best service.

However, having said that, we are also interested in looking at increasing fertility services in Newfoundland and Labrador. We are working towards that. The department has been looking at it and speaking with the health authorities on that topic.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The Member for Topsail - Paradise.

P. DINN: That's cold comfort to the young couples who want to have families here. Newfoundland and Labrador is one of only two provinces in this country without an IVF clinic. The Liberals, during the last election, committed to – and I quote – enable IVF services in this province.

I ask the Minister Responsible for Women and Gender Equality: When will IVF services be available in this province?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Again, Mr. Speaker, because the clinics in Calgary and in Halifax are so well established, individuals by and large will go where they have the greatest opportunity for success. That was the immediate measure put in place to help individuals and help the families get to the services where they would have the greatest chance of success.

We need to build a system here for IVF. We are looking at that, Mr. Speaker, and we are working on that. The greatest chance, the most immediate chance of success for a family in hoping to have a child, would be in a clinic that is well established with solid results. We do need a clinic here as well.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The Member for Topsail - Paradise.

P. DINN: So the commitment is empty. If they really want to send them away they would have had a more substantial subsidy package for them.

Speaker, there's a sad case of children switched at birth at the Springdale cottage hospital and the Come By Chance cottage hospital. They have been extremely tough on families.

Will the minister apologize to these families on behalf of the provincial government and have the provincial government review this?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, what I can say is that health authorities today have a much better record-keeping system, a much better system of ensuring that this type of thing doesn't happen. It is very unfortunate that those cases had happened a number of decades ago. It is something that we share the sympathy with the families that have dealt with this situation. It is a very difficult situation on those families.

But government has ensured the health authorities, Mr. Speaker, have put in place systems to ensure that this type of thing does not happen again.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: What I'm talking about today is for those families that were affected back then. They need an apology – they need an apology.

Speaker, after the minister promising to look into what he could do for the families who discovered they were switched at birth in a provincially run hospital, the minister has refused to order a review, refused to look at financial compensation, or apologize on behalf of the province for the mix-ups.

Why does the minister continue to ignore these families?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Speaker.

Mr. Speaker, we have said that we share the sympathy with the families who've gone through this. It is a very difficult situation for any of those individuals to have gone through. We are looking within the department and internally within government on ensuring that this type of thing doesn't happen again.

This situation happened a number of decades ago, Mr. Speaker. We do share the sympathy with the families who have gone through this. It is obviously difficult on those families. This type of thing should never have happened. It did. We can't change that; it should never have happened. But we can make sure it doesn't happen again.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Speaker, in an email a constituent asked why Kruger rejected an access road to Crown land. In response, Kruger said it is refusing all applications for access until government develops a land use strategy.

Speaker, it has been two years, Crown Lands still hasn't replied to Kruger.

I ask the minister: Why the inaction?

SPEAKER: The hon. the Minister of Fisheries, Forestry and Agriculture.

D. BRAGG: Thank you very much, Speaker.

It's always good to get a question on Crown Lands. And I guess the highlight today I'm

going to get into: for our office, our turnaround times have now been reduced to 68 business days for a regular Crown lands application.

SOME HON. MEMBERS: Hear, hear!

D. BRAGG: Sometimes these applications take longer than that, because of course we send it out to many referrals. And one of our referrals happen to be Corner Brook Pulp and Paper, Kruger, Abitibi-Price, whomever it may be, AND from years ago. And those applications get to be much more complex.

We talk to Kruger on a regular basis. They have been turning down applications year after year, but we have also been accepting some applications over the years. I do not know the actual application; if the Member could send it to me I would –

SPEAKER Order, please!

I remind the hon. Minister that his speaking time has expired.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Speaker, the calls we're getting, we're not hearing 68 days.

Speaker, it is obvious to anyone that has experienced the process, our Crown lands system is broken. We constantly hear from frustrated applicants who are waiting years for resolution.

Will the minister direct an independent review of Crown Lands?

SPEAKER: The hon. the Minister of Fisheries, Forestry and Agriculture.

D. BRAGG: Thank you very much, Speaker, for allowing me to answer this question again.

I have so much respect for the people that work in Crown Lands. What the Member is saying is that people are not doing their job. I am completely against what he is saying there.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

D. BRAGG: He is saying we do not have competent staff. We have the best staff you can find anywhere across Canada –

SOME HON. MEMBERS: Hear, hear!

D. BRAGG: – working with our department and they are working diligently for the people of this province, Mr. Speaker.

The Member opposite has not sent me an email in over a year, not an email in over a year, Mr. Speaker, about Crown Lands. If he has, please table it.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: We don't need emails, Speaker, our meetings say for itself, and there's still nothing done.

Speaker, a review was completed in 2015 on recommendations to improve the Crown lands process. Clearly, the minister hasn't read it, so I'll table a copy for him.

Why have the Liberals ignored this report for seven years without fixing multiple problems plaguing Crown Lands?

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Fisheries, Forestry and Agriculture.

D. BRAGG: Mr. Speaker, we have made leaps and bounds improvements within Crown Lands – leaps and bounds. The Member opposite referred to meetings in his preamble. He has not requested a meeting either. Except for milking a cow with me last weekend, he has not requested a meeting.

In Central Newfoundland, while it burned this summer, the Member opposite didn't even reach out to me until I reached out to him. So let's make this factual. If he's going to get up and ask me a question –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

D. BRAGG: – let's make it factual, Mr. Speaker.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

Well, they should listen to the residents that call us on a daily basis looking for Crown land – 68 days; you're out of your mind.

SOME HON. MEMBERS: Hear, hear!

L. O'DRISCOLL: Out of your mind.

Speaker, another construction season is winding down, there's been no work done on half-built Team Gushue Highway. Over the years the excuses have gone from land expropriation, farmland settlements, redesign delays and finally a lack of money.

When is the minister finally going to get this project moving?

SPEAKER: The hon. the Minister of Transportation and Infrastructure.

E. LOVELESS: Thank you, Mr. Speaker, and thank you for the question.

In terms of that project, it's an important project, but, obviously, the extension of that highway is going to cost money and it's not within my budget. Last year, we were working with the federal government. As we speak, right now, in hopes that we can cost share this because it is a federal responsibility as well so we can get this project done. But I don't have the money alone. We can do it on a cost-shared basis. Hopefully, the response from the federal government will be positive so we can move forward with this project.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland for a very quick question, please.

L. O'DRISCOLL: Minister, you've had this for seven years. Seven years you've been in government and you haven't fixed that road yet.

Speaker, this is a mothballed –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

L. O'DRISCOLL: – multi-million dollar bridge built over Topsail Road. The land for the next phase has been cleared so long that alders are growing up through the crushed stone.

Speaker, the Team Gushue Highway is a top-rank priority in the minister's own roads plan.

I ask the minister: How many more years are you going to have to wait to get this done?

SPEAKER: The hon. the Minister of Transportation and Infrastructure for a very quick answer, please.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The hon. the Minister of Transportation and Infrastructure.

E. LOVELESS: It's funny, you know, because the Member opposite boasts about getting answers. He doesn't want to listen to the answers. That's the problem. Many over there don't.

So it's a file that's important and it's a file that we're looking at from different lens in terms of the cost arrangements. We're asking the federal government to come to the table. They're coming to the table. We've had conversations with the City of Mount Pearl. We've had conversation with the City of St. John's.

We're happy to be working on this file. We don't have it resolved right now, but it is an important project and hopefully we can come to the financial arrangement that will see it happen.

SPEAKER: Thank you.

The hon. the Member for St. John's Centre.

J. DINN: Thank you, Speaker.

Speaker, my office has received calls from senior women who have received eviction notices. Because they are not in NLHC housing and instead receive a rent supplement, they are on their own when it comes to finding a new place to live. These women have health and mobility issues and do not own a computer. One woman has had her surgery cancelled as a result.

Given the lack of affordable housing, how are these seniors expected to find a safe place in which to live?

SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

J. ABBOTT: Thank you, Speaker, for the opportunity to respond.

When it comes to housing and particularly affordable housing, right now, there are challenges. Through NLHC we're working with all our clients, those that are living in our housing units and those that are getting the rent supplement. If there are changes in their residential needs, we work with them, individually, to find appropriate housing. The market is tight, but we are solving their problems.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for St. John's Centre,

J. DINN: Thank you, Speaker.

Challenge is an understatement. According to one source, rent has gone up by 30 per cent in St. John's. There is an absolute dearth of safe, affordable housing. Organizations who advocate for seniors are finding the situation impossible. An eviction notice for a senior is sentencing them to homelessness and isolation.

I ask the Premier: What measures will his government take to ensure seniors facing eviction are not rendered homeless?

SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

J. ABBOTT: Again, Speaker, thank you for the opportunity.

As I said in the previous question, we are working with the individuals concerned on a case-by-case basis. I get calls to my office, my staff get calls, and we are working on housing solutions. We are working with Connections for Seniors, a very valued agency in the city that is working with seniors on their housing needs. We are also looking at how we can expand affordable

housing across the city, across the region and across the province. That would be a part of, obviously, our upcoming budget process.

We are cognizant of what is happening. We're working with landlords and we are solving their housing needs.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for St. John's Centre.

J. DINN: Speaker, this past weekend, Mark Wilson, a constituent of mine found a homeless man sleeping on a park bench. The constituent called the Emergency Shelter Line 10 times and when he finally got through was told to call the RNC.

I ask the Premier: Will his government staff the Emergency Shelter Line appropriately or has the RNC become the default housing strategy for the province?

SPEAKER: The hon. the Minister of Children, Seniors and Social Development.

J. ABBOTT: Again, Speaker, thank you for the opportunity to respond.

In terms of our housing and homelessness challenges here in the province, again, we are working with expanding our shelters where we can. We will be doing that here in the city, in Central Newfoundland, the West Coast and in Labrador.

Given the incident that the Member refers to, we have our 1-800 line that is 24 hours and the RNC are not the choice. We need to make sure – and I will certainly follow up on this incident to make sure that this doesn't happen again. I certainly don't want the RNC to be the agency of response.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

Labour organizations exist to advocate and advance workers' rights. To find out that the Federation of Labour, the voice of workers, has not been consulted on the bills specifically meant to protect workers, I ask the Minister Responsible for Labour: Why wasn't the Federation of Labour given the opportunity to consult on the pay equity bill and will the minister pull back that bill and properly consult labour?

SPEAKER: The hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Speaker.

It is a true honour to get up here today in my seat and talk about the history that was made here to finally bring in pay equity in Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

P. PARSONS: We are the only administration to do that and as we know, it will come to the public sector, of course, with the agencies to follow, as well as pay transparency and a plan to bring in pay equity in the private sector.

That said, I have an email actually from Ms. Mary Shortall, who I have great respect for and I thank her for the wonderful work that she's doing. An email here that I'm happy to table, that she is very excited and eager to work on the consultation process that will soon start, of course, so we can put forth the best legislation for the people – ultimately the women and gender-diverse people here in Newfoundland and Labrador with regard to pay equity.

Thank you.

SPEAKER: Order, please!

The time for Question Period has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Tabling of Documents

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

In accordance with section 10 of the *Engineers and Geoscientists Act, 2008*, I table the 2021 annual report of the Professional Engineers and Geoscientists Newfoundland and Labrador. I tabled this last week but we were missing the financials, so my apologies, Mr. Speaker. We're now tabling the complete, revised document.

Thank you, Mr. Speaker.

SPEAKER: Further tabling of documents?

The hon. the Member for Exploits.

Does the Member have leave to table a document?

AN HON. MEMBER: Leave.

SPEAKER: Go ahead.

The hon. the Member for Exploits.

P. FORSEY: Speaker, I would like to table the Lands Act Review Final Report that was done in 2015.

SPEAKER: Thank you.

Further tabling of documents?

Notices of Motion.

Notices of Motion

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you very much, Speaker.

Speaker, I give notice that I will on tomorrow introduce a bill entitled, An Act to Amend the Fishing Industry Collective Bargaining Act, Bill 19.

SPEAKER: Further notices of motion?

The hon. the Government House Leader.

S. CROCKER: Thank you, Mr. Speaker.

Speaker, I give notice that I will on tomorrow move the following motion:

THAT in accordance with Standing Order 65, the Public Accounts Committee shall comprise of the following Members: the Member for Stephenville - Port au Port, the Member for Placentia - St. Mary's, the Member for Baie Verte - Green Bay, the Member for Harbour Main, the Member for Labrador West, the Member for Mount Pearl North and the Member for St. George's - Humber.

SPEAKER: Further notices of motion?

The hon. the Government House Leader.

S. CROCKER: Thank you, Mr. Speaker.

Speaker, I give notice that I will on tomorrow move the following motion:

THAT notwithstanding Standing Order 9, this House should not adjourn at 5 p.m. on Wednesday, October 19, 2022, but shall continue to sit to conduct government business and, if not earlier adjourned, the Speaker shall adjourn the House at midnight.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Further notices of motion?

Answers to Questions for Which Notice Has Been Given.

Petitions.

Petitions

SPEAKER: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you very much, Mr. Speaker.

These are the reasons for this petition, in particular.

There are circumstances in which an individual may have a moose licence but physically unable to join the hunt in any way, due to extraordinary medical circumstances or persons with disabilities. Every Newfoundlander and Labradorian should be included no matter their situation.

Speaker, I dealt with a constituent for this season, who was in hospital due to some unforeseen circumstances, but he had his moose licence but was unable to leave. We tried to work with the department. I know that they have their legislation, their rules in place, and that's totally understandable.

We don't want people to take advantage of it, but at the same time we don't want anybody to be excluded in the moose hunt. Moose is a great animal here in Newfoundland and Labrador. The hunt is great, but the meat itself is organic meat and we want to ensure that every Newfoundlander and Labradorian, no matter their circumstance, can be included in the hunt. I really think that the legislation needs to be revisited for extraordinary measures, and that's why we're putting this petition forward today.

Therefore, we petition the hon. House of Assembly as follows: To urge the government to take an immediate action

that will ensure a person with a moose licence could have a designated hunter attain the moose without the licensee having to be within the parameters set by the current legislation in extraordinary circumstances to ensure inclusion.

I want to be clear about that, with extraordinary circumstances, and it could be up to the minister's discretion whatnot, and it can come back to the department. But there are people out there who miss out on the hunt. We feel as though they shouldn't have to miss out on the hunt, and we think that this legislation can be revisited so every Newfoundlander and Labradorian can be included no matter their circumstances.

I hope the minister takes that back to his department and comes back to the floor with some legislation that could clean that up to ensure inclusion here in Newfoundland and Labrador.

Thank you, Speaker.

SPEAKER: Thank you.

Further petitions?

The hon. the Member for Bonavista.

C. PARDY: Thank you, Speaker.

We acknowledge that as a society we need to curb our intake of sugar, but strongly feel that the provincial government's sugar tax is not the best way of effecting change. After reviewing the literature and studies in relation to the proposed tax, realizing that we are the only jurisdiction in Canada to implement and find merit in its existence and realizing that taxing the population during an already significant time of inflation is unacceptable, we strongly disagree with the implementation of a sugar tax in our province.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to spare the

residents of our province another tax by immediately repealing the sugar tax this fall, leaving over \$9 million in the pockets of struggling residents annually.

Speaker, I had asked a question in the House about the sugar tax, and the hon. minister had stood up and gave some quotes. But I would say when we make decisions that are based on and affect greatly the residents of Newfoundland and Labrador we need studies. We need to draw upon studies that indicate the taxation that you're putting in will yield the results that we desire.

I would say my second call is to ask government to table a study that led them to implement a \$9-million tax on the residents of Newfoundland and Labrador. Again, I probably don't need to table, but I referenced a couple of times now an extensive study that was done by the Northwest Territories in 2019, titled, *Using the Tax System to Encourage Healthy Choices: Implementing a Sugar-Sweetened Beverages Tax in the Northwest Territories*.

They spent a lot of money to do the study, an extensive study, and they realized at the end they are not going to utilize a sugar tax. Just let me read from the executive summary: "... difficult to draw conclusions on how much a sugar-sweetened beverages tax would reduce consumption of sugar-sweetened drinks and therefore have an influence on reducing obesity and improving dental health."

Number two, they also give a table where if taxation was going to curb sugar consumption, then we know that if we tax – in Alberta they have a 5 per cent tax; we tax 15 per cent. If 15 per cent isn't curbing it, then why would we expect more to do it?

Finally, on the other end, I would say Oxford Economics did a study as well which would say that taxation of sugar drinks is not going to yield results.

I would ask government to consider appealing the sugar tax.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Deputy Premier.

S. COADY: Thank you very much.

Just to respond to the petition – and I can appreciate it's been challenging. This is the first time in Canada, though there are 50 countries in the world that have a sugar tax. Allow me, again, to quote from the World Health Organization: "Consumption of free sugars, including products like sugary drinks, is a major factor in the global increase of people suffering from obesity and diabetes."

Everyone in this room knows today that we have the highest incidence of diabetes in this country. Indeed one of the highest in the world.

This is from the World Health Organization: "If governments tax products like sugary drinks, they can reduce suffering and save lives."

The British Medical Journal also stated in the UK they introduced a tax on sugary drinks and "researchers found that overall sales of soft drinks have not changed." However, the sugar-sweetened beverages were lower.

Thank you, Speaker.

SPEAKER: Thank you.

Further petitions?

Orders of the Day.

Orders of the Day

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you very much, Mr. Speaker.

Mr. Speaker, I call from the Order Paper, Order 14, second reading of Bill 12, An Act to Amend the Workplace Health, Safety and Compensation Act.

SPEAKER: The hon. the Minister of Environment and Climate Change.

B. DAVIS: Thank you, Speaker.

I'm pleased to rise today in this hon. House today to bring forward –

SPEAKER: Order, please!

You need a seconder, please.

B. DAVIS: Too excited.

Secunder for this bill would be the Minister of Digital Government and Service NL.

Motion, second reading of a bill "An Act to Amend the Workplace Health, Safety and Compensation Act." (Bill 12)

SPEAKER: The hon. the Minister of Environment and Climate Change.

B. DAVIS: Thank you very much, Mr. Speaker.

I'm pleased to rise in this hon. House here today to bring forward Bill 12, An Act to Amend the Workplace Health, Safety and Compensation Act, to amend presumptive cancer coverage to provide presumptive cardiac coverage to career and volunteer firefighters.

SOME HON. MEMBERS: Hear, hear!

B. DAVIS: I'm very happy today to be joined in this – we're all happy to be here today joined in this House, I'll speak for my colleagues, to see so many members of the St. John's Regional Firefighters Association here today.

SOME HON. MEMBERS: Hear, hear!

B. DAVIS: I think they deserve a round of applause from all of us for the great work they do.

SOME HON. MEMBERS: Hear, hear!

B. DAVIS: I'd also like to take this great opportunity that we have here to say thank you to their executive team. They've gone fantastic work in advocating not just for this presumption here today, but with former Minister Gambin-Walsh who was minister at the time when we brought forward some presumptive cancer coverages in the initial stages. So they've been on this for a long time, and many, many years before as some of them would tell me.

I'm very happy that they're here and thank them for their great advocacy work for the people they represent.

Speaker, on December 18, 2019, the government announced the 2019 Statutory Review Committee for WorkplaceNL compensation committee. This Committee delivered its final report to the government on June 10, 2021. I think the duration was due in part to COVID and in part to the consultation they wanted to achieve through a COVID lens. It contains 17 recommendations, along with subsections which total about 48. One of the recommendations from the SRC was to add an additional four cancers to the presumptive cancer list, as well as the additional coverage of cardiac events that occurs within 24 hours of an emergency response.

Speaker, presumptive cancer coverage means that a firefighter who contracts a specific cancer, it is presumed to have contracted the cancer from the work as a firefighter, unless contrary is shown.

As per a legislative amendment in January 2017, the act currently provides presumptive cancer coverage for 11

identified cancers. With only 11, Newfoundland and Labrador was the third lowest in cancer coverages in Canada. Only Quebec and New Brunswick had lower levels with nine and 10 respectively. The Yukon, Manitoba and Nova Scotia have the most comprehensive presumptive cancer coverages in the country identifying 19 types, but I will say until today. The remaining of the provinces or territories fall within the range of 14 to 16 cancers being covered.

With respect to cardiac events referred to in the legislation as an injury to the heart, this occurs within 24 hours of fighting a fire. Nine provinces provide such coverage and we didn't want to pass this legislation here today without covering that for the people that protect us each and every day.

Speaker, every day firefighters put their lives on the line to protect ours. They answer the call of duty, placing themselves in harm's way in the service of the residents and the communities across Newfoundland and Labrador. Speaker, these firefighters do it willingly, even when knowing their profession can be struck down at an alarming rate with respect to cancers and cardiac injuries directly related to job-related exposures.

An unfortunate consequence of the work they do is the increased risk of developing certain types of cancers and experiencing an injury of the heart after attendance at an emergency response. This province should not be at the bottom of the list with respect to presumptive coverages we are providing to our firefighters. We should do the right thing here, with all jurisdictions across the country, and make sure we lead the way.

Speaker, in order to align with the leading provinces in the country, I am recommending the coverage of eight additional cancers to be added to the legislation as well as coverage for the injury of heart that occurs within 24 hours of fighting a fire.

SOME HON. MEMBERS: Hear, hear!

B. DAVIS: Speaker, the presumptive coverage for eight additional cancers that I am bringing forward here today will be retroactive to December 18, 2019.

SOME HON. MEMBERS: Hear, hear!

B. DAVIS: This date coincides with the start of the statutory review.

The presumptive coverage for injury to the heart within 24 hours of an emergency response will be effective November 30, 2022. An injury to the heart incident would not have been covered by the existing policy unless it was presumptive, but now it is presumptive.

The presumptive coverage being brought forward in this bill provides that extra layer of protection to bring this presumptive coverage up to 19 of the cancers that we all know are caused by the activities that these individuals, some of whom are here in the House of Assembly today, participate in each and every day.

This benefit that will be put in place through WorkplaceNL will cost approximately \$21 million and reduce the Injury Fund by only 1.9 per cent.

It's something that we should be doing; I am very happy today to be here to do it. There is approximately 450 career firefighters and 5,900 volunteer firefighters in our province, all of whom are getting this presumption of cancer benefit today.

SOME HON. MEMBERS: Hear, hear!

B. DAVIS: I'm so very proud to stand in this House of Assembly and bring forward this legislation. I ask all Members in this hon. House to stand with us, stand shoulder to shoulder with the men and women that we see here in the gallery and the many, many more across our province.

I look forward to the opportunity to have a debate when we do third reading. I'm hopeful that everyone in this House will be supporting this, not just because it's good legislation, but it's the right thing to do for the people that we have representing us and protecting us.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Thank you, Speaker.

It is an honour today to get up as the Member for Exploits, especially with all the volunteer departments we have in our area, and speak on Bill 12 and safety compensation.

The legislation we are debating today is the next steps in providing presumptive coverage for career and volunteer firefighters in the province. This legislation builds on the work started in 2016 and the recommendations of the 2019 statutory review.

First, we must define what presumptive coverage is. Before presumptive cancer coverage for firefighters was introduced, firefighters could still get WorkplaceNL coverage for cancer, but the onus was on the firefighter to prove that the cancer was a result of the person's role as a firefighter.

Presumptive coverage means it is assumed or presumed that the cancer occurred as a result of conditions experienced by the firefighter in the role as an emergency responder. If WorkplaceNL wishes to challenge this they can, but there is a higher bar of evidence required to prove that the cancer is not the result of the firefighters' duties.

In short, presumptive coverage helps firefighters to obtain WorkplaceNL coverage

for cancers, and now cardiac events, which are covered because of the role as a firefighter, without having to go through the process of having to prove it was related to their role as a firefighter.

The firefighters are very important to our communities. They ensure our safety; they are there in our most difficult times. Speaker, having said that, again I'd like to touch on the volunteer fire departments, especially in the Exploits District and throughout the province. It's good to see that the volunteer fire departments are being covered by this. I know we have some fire department members from the region here, and I'd like to thank them very, very much for their service as well.

SOME HON. MEMBERS: Hear, hear!

P. FORSEY: Getting back to my own district, it's good to speak on this piece of legislation of compensation of WorkplaceNL because it's good for the fire departments. They're most important to our districts. We call on them every day. I've talked to some of the volunteer fire departments and they appreciate whatever we could do for those departments, because they put themselves on the line every single day, not only as firefighters, but as we know them, as first responders. And what they respond to is sometimes way outside the scope of what we even think they do.

So I'd like to commend all the fire departments throughout the province and thank them for what they do. This is a good step towards helping those firefighters in achieving what they need to do. I'm certainly sure there are probably more things we can do, but today shows a good step that we'll be looking after our volunteer firefighters and all of our firefighters.

In December 2016 the *Workplace Health, Safety and Compensation Act* was amended to add a new part of the act providing presumptive coverage for firefighters and volunteer firefighters for

certain diseases. That bill took effect January 1, 2017. That bill listed 11 cancers. It provided presumptive coverage for those cancers, but the presumption differed for firefighters and volunteer firefighters. Firefighters were covered retroactively. Those diagnosed on or after December 14, 2015, were given presumptive coverage. Volunteer firefighters diagnosed on or after January 1, 2017, were covered, in other words, from the date that the amendment came into force with no retroactivity.

This bill does nothing to change what the 2016 bill covered, or how it was applied. What this bill does is add coverage for another eight cancers, and also for heart injury. It is the result of the 2019 statutory review.

The bill treats firefighters and volunteer firefighters the same moving forward. For the eight new cancers, both kinds of firefighters have retroactive coverage back to December 18, 2019, but not before. If they were diagnosed on or before the 2019 date, they are covered. For the heart injury that manifests within 24 hours after attendance at an emergency response, both kinds of firefighters are covered from November 30, 2022, onwards but not before. None of these coverages has retroactive effects back to 2015 or 2017, like the original 11 cancers. Neither firefighters nor for volunteer firefighters.

Will this satisfy firefighters or volunteer firefighters who were diagnosed prior to those set dates? Probably not. There will not be presumptive coverage. They will have to prove that their disease is linked to their work in firefighting. Perhaps they will still have to be able to do that, but getting compensation is less onerous with presumptive coverage.

Additional presumptive coverage for additional illnesses is better than none. But why isn't this retroactive to a common past like 2015 or before? If WorkplaceNL is likely to have caused their illness, why not make

their coverage presumptive in earlier diagnosis to spare them hardships and proving connection when they are terribly ill?

While it is true that any presumptive coverage is better than none, this is an opportunity to do the right thing and do it well. For the sake of the people in the honoured profession in our province, when people are sick with terrible diseases that have likely been caused by their work, especially when their work is front-line lifesaving work, much of it perhaps on a volunteer basis, then it is cruel to make these individuals spend their precious healing time and limited family time fighting a bureaucratic battle to prove that their dangerous work made them sick.

Imagine, the hardships and stress is worsening their condition. They need presumptive coverage so they can recover. Receiving income they cannot earn while they are off sick. Where did the coverage cut-off dates come from? The dates in the original act in 2016, and dates in the new bill, why was it chosen 2019 and not 2017 or 2015, like in the 2016 bill? Or a date earlier than that? Why should there be a cut-off date at all to limit their coverage?

If these newly added illnesses were covered by the workplace, shouldn't the presumptive coverage for these illnesses be retroactive to the same earlier dates? If it was wrong to give different coverage to firefighters and volunteer firefighters in 2016, why not correct it now with this amendment and make everything retroactive to the common date in 2015, if not earlier? Why let the different treatment stand when you can easily see it is corrected?

Why is there no retroactive coverage for the heart injury? If it happens soon after an emergency response, even if it happened years ago, shouldn't that coverage be also retroactive? If the doctors believe new cancers are also linked to firefighting work, then surely there's just as much reason to

make coverage retroactive to a common date in the past.

This is not amount of money. Firefighters still have to avail of coverage, but the onus is on them to prove that these new cancers are the result of their role as a firefighter. Presumptive coverage makes it easier. Would you agree to join us in amending the dates so they are all retroactive and provide presumptive coverage to more of our ill firefighters?

Are there any illnesses or forms of cancer that are not being covered, despite advice that they may be linked to firefighting work? What about the cancers that are not primary site cancers? What about lung cancer coverage to a firefighter who may have smoked occasionally or even once in the 10-year period prior to the diagnosis? Some industrial fire departments are associated with additional workplace hazards because of the nature of the industry. Are these additional hazards taken into consideration?

In closing, we will support this legislation. We believe in presumptive coverage. We believe in supporting our firefighters.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

It is a great privilege here to actually speak to this today because, actually, it's personal to me, in multiple (inaudible). Myself, I was a volunteer firefighter for five years; my father was a volunteer firefighter; my stepmother was a volunteer firefighter and it's very personal to me.

My stepmother is an ovarian cancer survivor. To see that in this act actually is very, very personal to me. So I want to actually thank the government for doing the

right thing and coming forward and making these changes the way that they should be made.

I also want to recognize somebody actually from Labrador West: Chief Joe Power, a long-time advocate for these changes and many changes that were needed. So I cannot stand here without acknowledging Chief Joe Power, Labrador City Fire and Rescue who sat on the executive of the Firefighters Association for many years and who is a long-time advocate for these changes and many other changes that were needed when it comes to the health and safety of firefighters.

Speaking of Joe and actually being on the fire department, with him as my chief, to remind firefighters the importance of filling out their personal exposure notebooks. I don't know how many times I've had a tap on the shoulder and saying, Jordan, go fill out your notebook and make sure you write down you were here and what you did, because those notebooks are your proof that you were on the scene and that you were under some sort of exposure.

The changes to those notebooks and stuff, too, over the years have been good changes too. I 100 per cent support this, no doubt about it. It's needed. It's important and that we should actually show appreciation that these men and women every single day – they don't want their pagers to go off, but they do and they're on the scene and they're there to help. The least we can do is make sure that if something happened to them that we have their back, because it's not an easy job; it's a very hard job. And you don't know most of the times what you're walking into.

I've been there, done that. We want to make sure that they have our back; we have their back. The last thing that anybody wants to hear is that their job has caused them some sort of industrial disease, cancer, heart disease. Because that is something that no one wants to hear, and especially knowing

that the thing that you love to do, to help people, is the result of these illnesses.

We're in a world where we use a lot of different chemicals and different things that we know are carcinogens. We know that they cause adverse effects to our health. But when something happens in an emergency, a fire or a motor vehicle accident there are spills. There are releasing of different gases and different environmental changes. We have to be there 100 per cent to have the people's back who actually walk into those situations while we're walking away. That's the important thing, is that we have their back.

I do agree with my colleague, though, about the retroactive. I know that the date there is December 2019. I would like to see a friendly amendment from the government to maybe roll that back a bit farther because in some cases the presumptive of that – and especially if we're adding eight different cancers to there, I'm sure presumptively the men and women that served that actually are inflicted with those terrible, terrible things possibly should be covered as well presumptively. So I would like to see that, along with what my colleague from the Official Opposition said.

There are two other groups I do want to mention that are at fire scenes that are not listed here: police officers and EMTs. Because I know my time as a firefighter, 99.9 per cent of the time there's someone from the RNC over my shoulder and there's an EMT there, and they're there just as much as we are there. Most times, the RNC was always doing traffic and scene control. Most times, there was an EMT there looking after one of us or a victim of some sort. These people are also there. They're breathing that smoke. They're there on scene. I think they should also be a part of this coverage, because their there having our back as well and they should be recognized in this legislation.

So for consideration to the hon. minister maybe have a look at that and make sure those changes should be made, because I think that should be there. Especially in rural areas where the RCMP or EMTs actually do a lot of heavy lifting too in these scenes, where resources are scant. So I want it, for honourable consideration, to be able to recognize those individuals as well, because they are just as important, and they should also have the same coverages, because they're on the same scenes doing the same thing for the most part. So I just want to take that opportunity to mention that to the hon. minister.

With that, Speaker, I do agree with this. This is a massive change that is needed, long overdue, and I do thank the government bringing this forward. If they take my critiques back and maybe make some tweaks. I also wanted to thank the men and women of this province, firefighters who actually are there every day for us. Like I said they have our backs, let's have theirs, but also every other first responder that do show up to a scene because they are there helping in the shadows as they say.

Anyway, thank you so much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Placentia - St. Mary's.

S. GAMBIN-WALSH: Thank you, Speaker.

On December 4, 2018, I stood here in this hon. House of Assembly and introduced into second reading amendments to the *Workplace Health, Safety and Compensation Act*, to provide presumptive coverage for work-related post-traumatic stress disorder, PTSD, for all workers covered under the act.

SOME HON. MEMBERS: Hear, hear!

S. GAMBIN-WALSH: I firmly believe that this progressive legislation is helping injured

workers receive the assistance they need earlier, leading to better outcomes and improving the workers overall health and well-being. I also made a commitment to a number of firefighters around a boardroom table that our government would continue to work with them to address their unique concerns related specifically to their line of work.

Under the present Minister Responsible for Labour and WorkplaceNL, our government has done just that. We are bringing forward another progressive piece of legislation. In fact, once this legislation is passed, we will be leading the country alongside Nova Scotia, Manitoba and the Yukon, in line with jurisdictions having the highest level of presumptive coverage in Canada.

SOME HON. MEMBERS: Hear, hear!

S. GAMBIN-WALSH: Today we are discussing and debating Bill 12, an amendment to the *Workplace Health, Safety and Compensation Act*, to provide presumptive cancer and cardiac coverage for firefighters. This legislation will add presumptive coverage for eight cancers, to the 11 presently covered. It will expand the existing presumptive cancer coverage for career and volunteer firefighters retroactive to December 18, 2019.

I applaud the minister for leading on the retroactivity, as it can assist firefighters in Newfoundland who are battling cancer today. This legislation will add presumptive coverage for a cardiac event injury to the heart that manifests within 24 hours after attending an emergency, to come into effect on November 30 of this year.

Firefighting requires exceptionally difficult and demanding physical work. Firefighters perform strenuous activities and handle all types of emergencies, including life-or-death situations. In addition to the potential mental health trauma of this job, which the 2018 work-related presumptive PTSD legislation

aimed to cover, is that of personal physical injury.

Firefighters are susceptible to burns, smoke inhalation and crush injuries from collapsing structures. They can suffer from heat exhaustion, as well as long-term job related illnesses. Some physical fall out from the profession may not materialize until years down the road.

Being a firefighter is a noble service profession. One that average citizens rely on heavily in case of emergencies. Firefighters are often the first responders on the scene of explosions, natural disasters, wildfires, traffic accidents and other catastrophes. Their demanding job can take both a physical and mental toll on those who perform it. They often have to leave family events, celebrations and gatherings at a moment's notice.

The characteristics of firefighters include empathy and compassion. The primary purpose of firefighters is to protect and serve the public. Thus, to succeed in this line of work, firefighters must have a natural desire to help others while making personal sacrifices. A desire to help those in need is a necessary motivator. Along with the willingness to care about the welfare of those they serve, firefighters balance compassion and humour to put themselves and other people at ease during tough times.

That is why, as the MHA for the District of Placentia - St. Mary's, I support this amendment and I am proud of our government for entering Bill12 into the House of Assembly today. However, I am equally proud to say that I know those firefighters who sat around that boardroom table, who respectfully and successfully over the past 4 years advocated for this positive change for their profession. As Jim O'Toole would say: Right thing, at the right time, for the right cause.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Humber - Bay of Islands.

E. JOYCE: Thank you, Mr. Speaker.

I'm going to stand and have a few words on this today. It is a proud day for all of in the Legislature to help out the firefighters and the professional firefighters, the paid ones and the volunteers, across the Province of Newfoundland and Labrador.

This started back in, I know, 2015-2016 when the St. John's Fire Fighters Association approached us and then Duane Antle from the Newfoundland and Labrador Association of Fire Services, the Corner Brook Fire Fighters Association with Geoff Sparkes. I have to give all those individuals a great applause here today for standing up for the workers.

The thing that we also have to remember about this here, this is protecting their families also. This is protecting the family so if something happens to one of the firefighters down the road, their family will not be impacted as much through it. So it is protection for the families also with the firefighters.

I don't think I need to say it but I always do every opportunity I get, Mr. Speaker. I've been into a lot of situations where you can see the men and women of any brigade, volunteer or professional, the work that they do and how they put their life and limb on the line for us. Absolutely, every one of them should have a medal of valour for the work that they do. I have seen it personally; I know it personally from all around.

If we just look back at the history, Mr. Speaker, I look at the different chemicals that they're facing every day now. Look at St. John's Fire Fighters Association that are here today; look at the different chemicals in the work environment that they're facing today. It is a dangerous situation and they

have to be prepared. Not only do they have to be prepared, they have to be ready to put their own life on the line for this. We can only just say thank you very much and sometimes we wish we had their courage to do the things that they're doing.

I know that all the volunteers across the province – I know Duane Antle, the president, has a good working relationship with the government. I know that Duane and all the volunteers will be very happy of this announcement today. It is a great announcement, I say to the Minister Responsible for WorkplaceNL and the Minister of Justice and Public Safety who is responsible for firefighter services. I know you had big input into this, also, today. I just say congratulations to both of you and to the rest of the government for coming up with this initiative.

Mr. Speaker, I'll just say in closing on this – and we talk about the retroactive. It is something that the minister can look at it, but from my understanding it is something that's a national standard now. Probably next year there might be a few more cancers that may be included. This is not set in stone. This is something that's going to move forward on a regular basis.

The other thing that's very great in this bill, and I seen it on several occasions, is if a person has some kind of a heart problem 24 hours – and I know the minister clarified that with me earlier, and I thank the minister for that. It is 24 hours after the incident. Like, for example, if a fire starts 7 o'clock and it goes for four or five, six, seven hours or even a day or so, it's when the incident is over, not when it starts. So that's great news also, Minister, because it is a great burden. It is a lot of stress on a lot of people. That is also something.

From my understanding of it also, Minister, from the research, that this on par nationally now. This legislation will bring the Newfoundland and Labrador Fire Fighters

Association on par nationally with the legislation for cancer and the heart also.

AN HON. MEMBER: Leading the country.

E. JOYCE: Leading the country. Well, that's even better.

Any time that we can lead the country to help these great individuals, the people who put their lives on the line, life and limb, we have to look at it. How many times do we see a situation where we see accidents on the road? Those individuals are facing it. Those individuals are actually facing the things that we're doing. They see sights that we should never have to see.

I know the Member just brought up about the legislation that was brought back in; that was great legislation also. That is great legislation that was brought in for people who may have stress and some disorder because of those sights. That is great legislation. That goes hand in hand with this legislation.

When most of us run, they run to. We run away. So anything that we can do to help out the firefighters, to help out their families, it's a great day for all of us in Newfoundland and Labrador.

I also want to mention something that the minister mentioned: workers' compensation. Back in 1991-92, the funding for the workers' compensation was down to about 72 per cent. Minister, even with this legislation, the funding will be 105 per cent, I think you mentioned, or 110 or 112 per cent funded.

The funding is not a problem for the fund needed for workers' compensation across the province. So that's prudent also that you're not putting the workers' compensation fund in any type of liability also. That's very important.

I'll take my seat, Mr. Speaker, but I'm just proud of the government for bringing this in.

I'm proud of all the firefighters for all the work that they do. Every firefighters' ball that I attend, I always say to the professionals – the paid and volunteer firefighters – and I always says to the volunteers if you go to a fire, make sure that you log it in: when you went, what time you went, what you faced and what kind of chemicals were faced, because that's the kind of things that you need.

Maybe 10 or 15 years down the road you may pick up one of these diseases. Then, if you had that logged in and they go back to your fire department and they have it logged in and say, yes, here's the date these people were on this fire, that's how you get this here passed through no problem. That's what you need to do. It is very important to have it logged in.

You can't just say, okay, I'm a firefighter. You need to log the information for you to make sure that if anything happens, which hopefully it won't or you pick up any of those cancers, that you can say here's when these individuals fought the fires, here is the type of fire, here are the chemicals that were in place. So every fireman's ball that I go to, I always ask: make sure you do the log work so down the road your families won't have to go through the hassle, the hard work and dedication to try to prove that this was caused by the fire, any of these cancers here.

Again, I'll take my seat and I'll just say this is a proud day for all the volunteers and all the professional firefighters across the Province of Newfoundland and Labrador. I'll say to them – and I know there are some up in the gallery – to the volunteers across the province that are looking at us in *Hansard*, keep up the good work for all of us. If anything else comes up, I'm sure the government is open to try to make it safer and better, not only for you now, but in the long run.

So please keep on lobbying in the professional way that you're doing because

the lobbying that you started back with the Liberal government in 2015, look how far we've progressed. So keep up the lobbying, keep up the good work. Above all, thank you very much for keeping us all so safe.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Grand Falls-Windsor - Buchans.

C. TIBBS: Thank you very much, Speaker.

You know we've had some legislation come through the House where it's a back-and-forth debate, if you will, but this one is a no-brainer, of course. This one protects a lot of people throughout the province, a lot of important people throughout our province. I mean everybody is important.

I am very proud to be part of the Grand Falls-Windsor volunteer fire department, which is one of, in my opinion, the most organized volunteer departments across Canada, in the country. Of course, Chief Vince Mackenzie, who puts a lot of work into that, he's been on every board and regulatory board across the country. He's devoted his whole life to firefighting, so I want to thank him.

I'd be remiss if I didn't thank also assistant chief Dave Byrne in Grand Falls-Windsor, who is celebrating 50 years this year as an active firefighter. So that's something to be said.

SOME HON. MEMBERS: Hear, hear!

C. TIBBS: We enjoy having Dave out there, the assistant chief.

The importance of firefighters, it's absolutely – over almost 6,000 volunteers across the province and another 4,500 paid men and women, it's absolutely amazing. We want to make sure that those numbers continue and that's the biggest thing. We want to ensure

that we have healthy volunteer fire departments and, of course, incentives like this will do just that. It'll ensure that these people are protected as they move forward and we want to make sure that they know it.

We're up to 19 altogether presumptive cancers moving forward. I agree, we look at a hard date here of December 18, 2019. I know that there has to be a date come down, obviously, but if we're talking about a fund that's up to 112, 110 per cent, I think the government could definitely take a look at that. Because it's an awful hard pill to swallow for somebody who's diagnosed on December 17, 2019, and now they are completely excluded. Again, I know we can't go back 30 or 40 years, but with these young firefighters, 30 or 40 years old that may run into some complications, I'm sure we can definitely look back and try to protect some of those a little bit further back from 2019.

The firefighter's family as well – and my colleague just alluded to it – they're along for the ride. When a firefighter gets up at 3 in the morning and takes off, he leaves a wife in bed, or when a lady takes off she may leave a husband in bed, to wonder where they're gone, to wonder what's happening to them. They lay in bed, their kids and whatnot, and they wonder what happened to their loved ones, as they're gone. Knock on wood that they all come back nice and safely sort of thing.

But when a firefighter gets sick, the family goes along for the ride and it can be a lengthy ride. We want to make sure that this legislation covers everybody to the extent that it can. That's what we're hoping here today.

Another thing I want to talk about, though, is training. Firefighter training can be just as exhausting – or sometimes more exhausting – than taking on the fire itself or any acts and whatnot. I'm not sure what these regulations do around training, especially when it comes to the cardiac piece, which is

not retroactive. I get it; it's from the end of an event for a fire, 24 hours. I get it; I get the numbers sort of thing.

But in order to do their jobs correctly and safely, these firefighters need to do the proper training as well, which can be very vigorous. So in Committee we can ask about that, but I would like to see some legislation around that as well, because these training sessions can be – you need quite a bit of endurance to get through them. I've done it; I've seen people do it. We want to ensure that they're taken care of for everything as it encapsulates it all.

PPE has come a long way, whether it be our SCBAs – and I hear the stories back in the '80s and whatnot when it was just the boots, the jacket and the helmet sort of thing. We've come a long way. We definitely have. But a lot of people don't realize that it's not just – with the SCBAs, a firefighter goes into a structure, sure, their lungs are protected then, but those carcinogens stay on firefighters' clothes, they stay on their equipment and, oftentimes, it gets carried back to the station.

Thank God now that we have a lot of things in place to prevent this when it comes to cleaning fire gear. Back in the day, the fellow that had the dirtiest gear sometimes was looked upon pretty proud, but nowadays you have to make sure you keep everything clean.

One great thing I know we have in Grand Falls-Windsor – and I hope it's throughout most departments – are fan exhaust systems for a truck when they're coming in. You wouldn't believe how long it would take, very, very quickly for a fire hall to fill up with exhaust. That stuff gets into your lungs and gets onto your clothes. We don't want any firefighters to take that home with them; we want to leave it at the fire scene where it belongs.

We've definitely come a long way, but unfortunately it is a very hazardous job. It

can be a very difficult job and dangerous job. We want to ensure that we have the backs of all the firefighters throughout this province, as they have our backs when we go to sleep at night.

We all go to sleep knowing that in a moment's notice they're going to show up. They don't ask questions, they just show up. We're very proud of that, we're very happy for that. But again we want to ensure that this legislation encompasses as much as we possibly can. So, again, I would urge the government to go back and take a look at that. Like I say, it's a hard pill to swallow if you're diagnosed on December 17, 2019, as a young man or woman firefighter to know that you missed it by a day. So I would encourage government to take a look at that again.

There's lots of equipment necessary as well for firefighters to ensure that they do their job safely. I want to thank the Minister of Justice. We put in for a new air compressor this year for Grand Falls-Windsor for the fire department. It's very important, of course. His department made it happen. I want to thank him for that and his department, because it's very important.

It happened right around, of course, when we had our wildfires in Grand Falls-Windsor in Central and now we're going to get that new compressor. So hopefully it's there sooner than later.

The housing materials throughout everybody's house and dwellings, whatnot, it's not structures like it was before. There are a lot more plastics, a lot more electronic sort of thing, so there are more hazards today I would argue. The structures aren't built quite the same. They're pretty flimsy. You look floor joists, whatnot. A firefighter today, in my opinion, he definitely has way more equipment and more PPE, but I think that the job is a little bit more difficult today than it may have been years ago.

Again, I just want to thank all the firefighters throughout the province. I want to make sure this legislation doesn't get lost and it encapsulates as much as we possibly can. Of course, I definitely support this piece of legislation. I'm sure my party will support this legislation. I'm sure the people across Newfoundland and Labrador will support this legislation as well. I want to thank the minister for bringing it forward because this one, we're going to knock it out of the park and ensure that the people that take care of our backs at night are going to be taken care of during the day.

Thank you very much, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

I just want to speak briefly on this. I guess it's plainly visible or aware that I'm not a firefighter. I'm not a volunteer firefighter, but myself, along with the Member for Virginia Waters - Pleasantville, a number of years ago, maybe five years ago, we went and did the fire ops program.

AN HON. MEMBER: 101.

P. DINN: Fire Ops 101. It was very, very much an eye-opening day. It was a fabulous day and we went through, I think, it was five drills. One was using the jaws of life to take a dummy out of a car. That was –

AN HON. MEMBER: (Inaudible.)

P. DINN: See, you get it from the riff-raff. That wasn't so bad, that was probably enjoyable, cutting up a car and hauling a dummy out.

We repelled down the building. Again, not so bad. We did a role-play, which wasn't too bad, but what really struck home with me was when we had to put on the gear. We

had to put on that helmet and we put on the gear and the breathing apparatus and the tank on the back. It was a pretty warm day to start with, and it got a lot warmer then.

I'm there with the firefighters, men and women – some bigger than me, some smaller – and they're doing a hell of a lot better than I am in the gear. So we had to carry a charged hose up three, four or five flights of stairs. Not so easy. Not so easy at all, and the last drill – the minister can agree with me – there was a lot of people who opted out of the last drill. The last drill was going through a tube. It seemed like it was 100 feet long but it was probably 10 feet in a dark, smoke-filled room to get out on the other end, beat down some gyprock and rescue someone.

I can tell you, for me, and I suspect for the minister, we're probably the same size, I would say. We are small, more or less. Worming your way through that pipe in a controlled environment, I can tell you was a bit stressful and there were some that never did it. Wouldn't go; not doing it. I talked to some of the firemen and the firefighters that were there and just listening to them tell the stories and, of course, we talked about mental health which was a huge issue for our firefighters. You know, we expect them to be – nothing hurts them. But I am telling you, mental health issues you take home with you and that was a big issue.

I was talking to one firefighter who was probably a foot taller than me and I said: How do you get through – how do you do this? And he actually hauls the apparatus off his back and pushes it through ahead of him. I can't imagine. But it gave me a real, real appreciation for what our firefighters do on a daily basis for us. They're going into situations where it's unknown, in many cases. These were just controlled drills we were doing.

So I can't imagine how they do it on a daily basis and what they go through and what they put themselves through. As the

Member behind me said, when many are running away from the fire, they are running to it and they're going into these buildings and rescuing someone, where they really don't know where they are when they go in.

These are men and women who have families at home and they're risking their life and limb to go save people. So when I look at this bill, this is a very positive bill; this is a very common sense bill and we have to realize nobody's won the lottery here. Nobody's won the lottery. This is what our firefighters should have had. This is what they deserve. This is what they deserve for putting their lives on the line every day.

The lives they save, this is the least we can do for them. I know there has to be a drop-dead date in terms of when something comes into effect or not, but I would really like to see government look at this and at least drop it back to the December 2016 date, when the act was initially amended to add some presumptive cases. Because like my Member behind from Grand Falls-Windsor had mentioned, what do you do for that individual who is December 17, 2019, and the ones after. Again, I understand there has to be a cut-off point, but why not take it back to December 2016, when it came into effect, the initial amendment was made to add presumptive cases.

Again, very positive, very common sense piece of legislation. I have no doubt it will be unanimous in being approved today. I can't see anyone not agreeing with this. I really do want to say thank you to all our firefighters here and throughout the province and throughout the world, for that matter. Every time you turn on the TV and there's a disaster of some sort, it's a firefighter that's there first, in many cases. I really appreciate what they do. I'm sure we all do. This is a good piece of legislation. I'm glad to see it here, and let's move it along and let's consider what more we can do for our firefighters.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Cape St. Francis.

J. WALL: Thank you, Speaker.

It is indeed a pleasure to stand in this House today and speak to Bill 12 in second reading. I'm not going to take too much time; I'm not going to reiterate what has been said already today. This is a good piece of legislation and we will support it, and I'm happy to do that.

I want to speak to the personal aspect of a firefighter. As my colleague from Grand Falls-Windsor - Buchans said, when the call goes off and the spouse or children are left at home. Well, I'm going to flip that, Speaker. My son Zacharey is a seven-year member of Pouch Cove Volunteer Fire Department.

SOME HON. MEMBERS: Hear, hear!

J. WALL: Just completed his level-two training; he is a very proud member. When Mom and Dad are sent a picture from social media of an individual on the roof of a structure fire with a chainsaw, venting the roof and all you can pick out is the reflective number on the back of his helmet. You can't see nothing else, Speaker, just the reflective number on the back of his helmet and that is the condition that he has to work in, in that smoke, with those carcinogens, that is what brings it home and hits home.

So for my son Zacharey, for my father-in-law Lester, who is a 25-year, retired, member of St. John's Regional, and for my constituent assistant, Barb, whose son Kyle is a current member of Corner Brook Fire Department, this is all important and it hits home to know that the coverage is there now for that additional coverage for the 450 career firefighters, the 5,900 volunteers in our province who are the heart and soul of the 40 districts in this hon. House.

SOME HON. MEMBERS: Hear, hear!

J. WALL: It is those that we keep in mind today. When I look at the two departments in my district, Pouch Cove and Torbay, I have spoken about them many times in this House and you have all heard me say that I am very proud of those two departments. The members that are there, Chief Sullivan and Chief Gaudet in Torbay, I realize the stress that they're put under, under a political position, being chief.

The work that they have to do – it was said earlier about the detailed records that have to be kept. Well, those two individuals keep detailed records on each and every member, of course, when they respond to house fires, structure fires, car accidents, MVAs, high-angle rescues and what have you. All these individuals respond to those calls and both chiefs do keep detailed records. In addition to that, they have the care, welfare, safety and security of their department first and foremost. I would like to thank both of those members today.

Speaker, yesterday in the House, I was proud to speak to the Town of Pouch Cove and with respect to their code of conduct. I'll also go to the Town of Pouch Cove today, when I was mayor, I certainly enjoyed my municipal political career for 7½ years. It was during that time that we brought in the extra coverage for the Pouch Cove Fire Department because we saw the need that was there and we saw the need to protect, not only the members of the department, but as my colleague for Grand Falls-Windsor - Buchans said, the family members who are left behind or who are waiting for them to come back from each and every call.

I am glad that my council of the day took the opportunity to bring that forward for the members. I am so glad that this hon. House is bringing forward this legislation today. It is important for each and every one. As I said, I won't go over what was said already today but I wanted to say how proud I am to be part of this today and how it is going to

affect so many families across our beautiful Province of Newfoundland and Labrador.

Speaker, I thank you for your time and, of course, for the government Members' attention.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Mr. Speaker.

I am glad to have the opportunity to speak to Bill 12. I, too, will be supporting it. I'm sure there is nobody in this House of Assembly who wouldn't be supporting it; it is the right thing to do. I think back on – there's been a few times in this House of Assembly over the years where you did something that you felt that we were all on the same page and we were doing the right thing for the right reasons.

I recall the last time we had been dealing with a matter relating to firefighters and emergency responders. PTSD, that was one of them; disabilities act was another, I'll say, feel-good moment, I think, where we all felt that we were on the same page and doing the right thing for the right reasons. No controversy, no disagreements, unanimity across the way, and we don't often see that here in this House of Assembly.

A lot of times a lot of bills come before this House, there's a lot of debate, a lot of controversy and I could think of a couple of bills that we debated just very recently that certainly had a lot of diverse opinions, and strong opinions on one side or the other. But this is certainly not one of them. This is another time, as been said, where we can all, in a united way, do the right thing for the right reasons.

This one here, for me, I think – and I don't want to be too repetitive, as other Members have made a lot of the same points. But I think the one thing that comes to mind, when we brought in legislation a while back that brought in some presumptive cancer legislation but was for other types of cancer, we're simply adding to it, is what we're doing, to the list. It's very unfortunate that we would have to add to this list but it is the reality of the profession and, unfortunately, it is what it is.

I can remember when we passed the bill a while back on presumptive cancer and speaking to some people in the community who – I guess it was in the media and so on. People generally were obviously very supportive of it, as I'm sure they will be of this. But a couple of people kind of challenged it a little bit, and said, I appreciate what you're doing for the firefighters there but shouldn't we be concerned about the safety of all workers and why are we singling out a particular group.

The response I gave at that time and I will say now again when it relates to this, is that in a regular workplace – I'll call it a regular workplace – it's guided by the *Occupational Health and Safety Act*, regulations and so on. There are all kinds of policies, there's training and so on. Employers have a responsibility to maintain a safe workplace, to train employees. If there are chemicals on the workplace, they all have to be trained in WHMIS. They all have to be given the PPE, engineering controlled ventilation, all of those types of things. Everyone has to be made aware of what the hazards are, how to protect themselves and so on.

So you have all those measures in place. But in the case of firefighters, while there are all professionally trained, obviously, in hazards and they do have their PPE and so on, the respirators and so on that they would be wearing, the reality of it is that there's no possible way they can know, in any given time, what they're going to face.

And if you have a building and it's on fire, there's no real guarantee.

Now, they do have protocols in place – certainly St. John's Regional does. I can't speak to other fire departments, and certainly not volunteer departments across the Island, but I know that with St. John's Regional that they do have a process in place where they go around to a lot of the buildings and warehouses in the St. John's-Mount Pearl area and they do pre-fire plans. Where there's actually someone going in to find out exactly what's going on in this building, what is the layout of the building, what are the hazards in this building and what kinds of chemicals would be in this building and so on.

It can be a helpful tool, but then again if you're at the fire hall and at 3 in the morning all of a sudden the alarm goes off and you're being dispatched to the scene of a fire and you have to jump out of the bed into your bunker clothes, down the pole – if it's a station that has a pole. Old Central used to; I'm not sure about the new one. They're probably all gone now. Anyway, whatever the case might be. On that truck and on the scene within four, five, six minutes, whatever the case might be. You don't have time to contemplate all those things; you are just sort of out there, Johnny-on-the-spot. As has been said, when people are running away they're running into the hazard.

So it's not like a regular workplace where you have all this time to sort of consider what are the hazards and put all these other measures in place and everything else to keep everyone safe. You are running into an emergency situation, and that is the difference. That is the difference when you talk about having a special provision for workers' compensation and so on for firefighters, or having a special provision for emergency responders. That's the reason why those special provisions are there; that's why they're necessary. Because we are expecting people to run into the face of danger. While everyone else is running from

danger, we're expecting them to run into danger.

It's important, obviously, they have training and they have equipment and so on and everything that they can reasonably have to keep them safe. It's a part of their job and it's a responsibility, certainly, of management within the fire service to ensure that the firefighters have all the training, have all the skills, have all the tools they need, have all the personal protective equipment and so on to keep them as safe as possible; but the reality of it is that it's a very uncertain situation. Realistically, you don't know what you're getting into. There are lots of chemicals that you will find on lots of sites and fires and so on, chemicals that can have different reactions and chemicals that can react together. Nobody knows, necessarily, what impact that is going to have on you after the fact.

I know prior to getting into politics, professionally, I worked as an OHS. That's what I did for a living. I can recall that trying to get employees on board with Occupational Health and Safety to protect themselves, to wear personal protective equipment and follow procedures and so on, it was a lot easier to convince a guy if he was up no scaffolding and he was up 20 or 30 feet, a lot easier to convince him you need to have a harness on and be tied off because, guess what, if you fall, you're going to die. He could get that.

It is a lot harder to convince a guy that was doing some welding and it was just a bit of welding smoke around that he needed to wear a respirator. Because he said: No, that won't hurt you; I've been doing this for years. But what he didn't necessarily realize was it's not what that smoke was doing to you at that point in time, it's what it was going to do you and the impacts it would have 20 years down the road or whatever, when you develop some kind of a lung disease or lung cancer or whatever the case might be.

Firefighters, while they are very safe in what they do and they're very well trained, the reality of it is they're still going into those uncertain circumstances and there are all kinds of smoke around them at all times, not to mention the fact that even when they're at a fire and they leave the fire, whether they're going back to the station or they're taking a break, whatever they're doing, and they take that mask off, and you have all this particulate and so on that's all over their clothing and so on that potentially could cause them harm, which is why they have policies in place about cleaning of equipment, cleaning of their bunker suits and so on, but that's another real risk.

So they can have all these policies, procedures and training in place to mitigate the risk, but I would contend that firefighters, it would be impossible to totally eliminate the risk. It cannot be done. There's no way they can do their job and not be at some form of risk. Just like it's impossible for a police officer. They can have all the training and pepper spray and weapons and everything else, but if you're asking them to do their job, to go to some situation where there are guns involved or there's an armed robbery or something, they can follow all the procedures they want, but there's no way that you're going to totally eliminate that risk. It cannot be done; it's inherent to the job, and firefighters are the same way.

That's why we have to treat them a little differently. That's why we have to recognize that there is inherent risk to their job that does not exist in other professions. That's why this piece of legislation, of course, is being brought forward today to add to the list of presumptive cancers that have been identified through medical professionals, scientists, whatever the case might be, to say that if you are a firefighter, knowing what you're going to face, knowing the hazards that you will inherently face and be exposed to no matter what you do, that there is a risk of these types of cancers.

If we're going to expect somebody to literally put their health, safety and life on the line, then we have to be prepared to support them on the back end if anything goes wrong – them and their families. That's what we're doing here today. I'm certainly proud to do so; I know all Members are. I thank the minister for bringing forth this very important piece of legislation. I think we all agree today that we can all feel like we're doing the right thing.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

I certainly won't take very long here today. I just wanted to get up and have a little say on this as well. It has impacted the district as well on Bill 12. My wife was the first firefighter in Witless Bay in the volunteer fire department when she joined in I'm going to say, '90. She was the first woman volunteer firefighter in the area.

SOME HON. MEMBERS: Hear, hear!

L. O'DRISCOLL: My daughter joined as well, I will say. Before she went to England, she was a volunteer firefighter for five years. So a pretty proud moment when you get a chance to speak.

I'm going to say Saturday night in the Goulds, I was at a volunteer firefighting event, as we all do in our districts, and you're there listening to the people speak in the district as well. While you're there having a beer and having a dance at the time, five or six firefighters are running out through the door, and I'm saying they got a call now. Sure enough, they had a call, a motor vehicle accident. They never know what they're running into to. So it's pretty important bill that you have here today, taking care of those people in these events.

It's certainly something that I support and I'm sure we all do.

Thank you so much.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: If the Minister Responsible for WorkplaceNL speaks now, we will close debate.

The hon. Minister Responsible for WorkplaceNL.

B. DAVIS: I had to jump up, Mr. Speaker, I wanted to make sure – I was so excited that I got to the opportunity to thank all my colleagues. I was going to list everybody but I'm not going to do that. I'm going to give an opportunity for those who didn't get the opportunity to speak; I'm going to try to sum up that we're all supportive of what we're doing here, on both sides of the House.

SOME HON. MEMBERS: Hear, hear!

B. DAVIS: I'd like to take it one step further. I think we should all stand up and give an ovation to the people that we have here in the stands, but all the 6,000 or more that are not.

(Applause.)

B. DAVIS: These are some of the faces that we see. Everyone had such great comments; I don't want to summarize what everybody has said. I know we have an opportunity when we do in Committee to have questions and I look forward to that.

I do want to address a couple of little things that we can do, a little bit previous to that. Every person that works in the province has the ability to apply to WorkplaceNL to receive benefits. I just want to make sure everyone understands that what we're doing here today is a presumption that, in relation to their work, they're getting this coverage.

They could always apply for it, but as I think the hon. Member for Exploits mentioned, that there were more of hoops they had to jump through. We're trying to remove those, and that's why we're trying to do that. So I don't want to leave the impression that there was no opportunity for coverage; this just expands it, makes it a little bit better.

I do want to take the opportunity to say thank you to the Member for Topsail - Paradise. We did do Fire Ops 101.

AN HON. MEMBER: (Inaudible.)

B. DAVIS: We struggled during that, yes, it was quite – he's exactly right on what he said. Some of the things that you see firefighters do in general terms look a lot of fun. Like cutting a top of a car, sounds fun. It is fun. Coming off the side of a building, even if you're afraid of heights, like me, it's fun. But I can guarantee that when you go in a confined space, in a controlled situation, trying to get over and under things, through, as he calls it, a tunnel – and I know that if I reached out, one of these people here who were there, I could grab them. It was still very, very nerve-racking and that's going into a controlled situation where each and every person goes in, knows full well that they are completely supported; nothing bad is going to happen. That's not what our firefighters, whether career or volunteers, face every day. That's now what they face.

It's great that they're well trained, which is very important. I thank the union for the great work they do on that. It's an amazing amount of investment they put into the firefighters that are there. Thank you to the association for volunteer firefighters as well. They put an awful lot of work in. The MHA for Grand Falls-Windsor - Buchans mentioned some of the items of that; that they're all well trained. We want to make sure they're well trained. We want to support them as much as we can and I know the minister responsible for Public Safety and Justice does as best he can,

given the budget that we do have with respect to that.

I don't want to give the impression that what they do is easy by any stretch. It's not and it's different than some of the other professions that would be in the scene with them. They're going into this where their clothes, their PPE they have does not protect them fully from the carcinogens they have to breathe in, work with and go around. That's the difference. That's the rub that's a little different than other first responders that are there. They're not saying that those first responders are not important because they are and they're very much important to me and this government and everyone in this House. But that is a difference.

I could go on and on about this, but I'm not going to because I know how uncomfortable those chairs are. So I do want to sit down and just say thank you to the firefighters that are here in attendance but the many thousands that are not here, this is for them and thank you to my colleagues for the support.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Is the House ready for the question?

The motion is that Bill 12 now be read a second time.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

SOME HON. MEMBERS: Hear, hear!

CLERK: A bill, An Act to Amend the Workplace Health, Safety and Compensation Act. (Bill 12)

SPEAKER: This bill has now been read a second time.

When shall the bill be referred to a Committee of the Whole?

S. CROCKER: Tomorrow.

SPEAKER: Tomorrow.

On motion, a bill, "An Act to Amend the Workplace Health, Safety and Compensation Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 12)

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you very much, Mr. Speaker.

I call from the Order Paper, Motion 1.

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

I move, seconded by the Deputy Government House Leader, that under Standing Order 11(1) this House not adjourn at 5:30 p.m. on today, Tuesday, October 18, 2022.

SPEAKER: Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye,

SPEAKER: All those against, 'nay.'

Carried.

The hon. the Government House Leader.

S. CROCKER: Thank you very much, Mr. Speaker.

I move, seconded by the Deputy Government House Leader, that this House resolve itself into a Committee of the Whole to consider Bill 3.

SPEAKER: It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider the said bill?

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

On motion, that the House resolve itself into a Committee of the Whole, the Speaker left the Chair.

Committee of the Whole

CHAIR (Warr): Order, please!

We are now considering Bill 3, An Act Respecting Pay Equity for the Public Sector and Pay Transparency for the Public and Private Sectors.

A bill, "An Act Respecting Pay Equity for the Public Sector and Pay Transparency for the Public and Private Sectors." (Bill 3)

CLERK (Barnes): Clause 1.

CHAIR: Shall clause 1 carry?

The Chair recognizes the Member for Bonavista.

C. PARDY: Thank you, Chair.

It's becoming customary now that I do acknowledge somebody from my district who I know is watching. With the Chair's permission, I just want to acknowledge someone who's very interested in pay equity legislation in the District of Bonavista: a lady by the name of Tammy Keel, who is watching this afternoon. I just want to reference her son Keon, who's a Grade 12 student who would be watching right now, being home, and again, I would say very interested in pay equity as well.

Just one 10-second note would be is that when he watched it previously, the thing that stood out in his mind was how many times we used the word "Speaker" in the House, which is customary in our system. But he did note that.

And we don't play cornhole in the District of Bonavista. In fact, I've never heard of it, but I'm sure it's a good game. My colleagues here on this side are talking very highly of it, so it's a game that I've got to learn.

Pay equity is probably a little more than equal pay for work of equal value. I know in *The Telegram* and the SaltWire reporter – and I think I can mention her name, Juanita Mercer, who was the reporter of the articles that came out. I know she was asking the questions on pay equity significantly and I know that she had asked the Premier. The Premier's response was that this fall we would see a piece of progressive legislation that would be brought to the House.

We support Bill 3. We support initiatives into pay equity. I think we all stand with that, but I would say the realization would be that there are many disappointed that it didn't go as far as what the expectations were. And where did the expectations come from? It may not have come from consultation, because some were questioning that we may have been a little short on consultation. The minister probably addressed that yesterday to a degree and may do it again this afternoon.

When we looked at when this started, the minister of Labour at the time in 2017, which is now the Minister of Immigration, Population Growth and Skills, he stated in *Hansard*: “As Minister of Labour, I have already begun a cross-jurisdictional research effort; it is critical that we understand what other provinces and comparable jurisdictions are doing, to take from that best practices.” That was golden, and I think that is good. “But at the end of the day, it is Newfoundland and Labrador which will decide its own destiny.”

So how do we know if we hit the nail, if we hit our mark with what was deemed as progressive legislation, or as the minister had stated that we were going to have something with best practices? Well, if we listen to the St. John’s Status of Women Council, we may not be receiving high marks.

My hon. colleague from Harbour Main spoke yesterday and deemed it not to be progressive. My colleague from Torngat Mountains had stated yesterday that it was not progressive. These people have experiences in the lenses of which they look at.

I read the piece of legislation over, well, at least three times. I would say in reading it over, I still don’t know exactly what it’s going to bring to us. I know it’s not going to bring anything to the private sector, but that is down the road.

The only thing I would say is that if we had begun this process in 2017 with a jurisdictional scan, and knowing that in 1988 Nova Scotia and PEI brought it in and have a decent pay equity, when we’re looking at progressive and when we’re looking at best practices – or New Brunswick in 2009. So us being, I would assume when it started in 2017 – and if we did the math, we’re looking at five years. If we did five years of work on pay equity and Bill 3 is the best we can produce for the genesis and the spirit of which pay equity stands for, I would say I

can understand where people would say we expected a little more. That is the reality and that is my interpretation of the pay equity.

There are a lot of positive comments or comments that were coming; in fact, the Minister Responsible for Women and Gender Equality had stated – and I reference *The Telegram* and, again, by the reporter that I had mentioned on August 27: “What is important is that we draft legislation that achieves the desired outcomes and helps address the issue of pay equity for women and other marginalized people in our society.” That sets a standard that we have a lot that we were looking forward to. There’s a lot that we were looking forward to in that legislation. Maybe it was of the assumption that not only the public sector, maybe they were looking for it in the private sector. Maybe that was the expectation that most people had.

So when Bill 3 comes out to know that it is only the public sector, and through the work with negotiations, collective bargaining and strong union representation, we may have had pay equity minimized. Or the difference between what females would receive and males for comparable work, we may have not quite had achieved, but we had made significant inroads into that pay equity.

So I would say when we look at what the *Toronto Star* mentioned about how pay equity legislation works, keep in mind our Bill 3. And here’s the one from Ontario that they mentioned when they first rolled it out, and that was in 1989. I won’t go through it all, but they had stated that Ontario’s pay equity legislation covers all public and private sector employees, except for those regulated by the federal government and private firms with fewer than 10 employees.

Then they went through when it started. The following year was going to be for firms with 500 or more employees, the next year for firms between 100 and 499 employees and so on. Then how was it done? In each institution or company, job descriptions are

prepared through interviews or questionnaires; jobs are rated. Jobs done mostly by women are compared to those done mainly by men that scored about the same points. And women who are paid less than men for equally rated jobs start getting raises, taking them to the men's level.

That was back in 1989. So when I would say that we're looking at pay equity legislation with this Bill 3, me speaking personally, everyone is in favour of it, but I can certainly understand why those people who really were tuned in with the pay equity legislation would be very disappointed in what we produced.

Chair, thank you for the time.

SOME HON. MEMBERS: Hear, hear!

CHAIR: The Chair is recognizing the hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Chair.

I certainly would like to thank my hon. colleague. I'll start off here today with regard to actually some comments that he had made with regard to the consultation process. I'll start off; he referenced the St. John's Status of Women, which I will say I'd like to thank them. I thanked them yesterday of course in our media briefing and here in this hon. House, and I'll certainly do that again today. Because it's organizations like the St. John's Status of Women, as the Provincial Advisory Council, that my office deals with on a regular basis, of course, on all policies. Whether it's violence prevention, pay equity legislation, pay transparency to put forth the best policies that we can for the people of the province. In particular where my mandate is concerned, women and gender-diverse people.

So I will take a quote just to answer what my hon. colleague had put forth. This was just yesterday the executive director Lisa Faye, and this is taken from a CBC article,

says: "She was happy the provincial government didn't move forward with private sector pay equity legislation because the proper consultations haven't been completed."

So to say that people are disappointed, I guess, in what was put forth yesterday, that's not what I'm hearing. I guess as your position as Opposition, we can expect this tone, I guess, and I'm saying this respectfully. But to say that it is disappointing what was put forth yesterday; what's disappointing is that this conversation has been going on since the '80s, before I was born, Chair, so that is disappointing.

In high and low times of our province, and ultimately when we saw perhaps our highest economic boom, when the previous administration were in power and, unfortunately, nothing was advanced. No legislation was advanced. One of the Members referenced a payout, but I can recall just last week, the Members opposite were not talking favourably about payouts as it pertains to the cost-of-living cheques that were being issued. So it wasn't good then but it was good now, yesterday, when referred to back in, I guess, the early-2000s, what was done with a union by that previous administration.

But this is legislation that will enshrine in law protection. We have to start somewhere and starting in the public sector – Quebec and Ontario are the only two – and they are our largest engines, if you will, of Canada – our economic engines – to have pay equity in both the private and public sector. So we're starting here in Newfoundland and Labrador, as was announced yesterday with my two hon. colleagues. This is implemented immediately as of April 1, 2023 – the public sector. We know we have a lot of employees here, a lot of people in Newfoundland and Labrador that are employed here in our public sector. So protecting them, first and foremost, makes the absolute most sense. That is what we're

doing, it's immediate and it is enshrined in law.

We're also coming forth with pay transparency. We see PEI and Ontario with pay transparency. Pay transparency, I will add, in Ontario has gone through the legislative system –

AN HON. MEMBER: (Inaudible.)

P. PARSONS: We're just being distracted here now, Chair, by one of the photos that are tilted, I guess, here in the House of Assembly. Which, I might add, are all men if we look around here in this House of Assembly; so hopefully it will be legislation like this that is going to help and inspire to get some women on these walls here in the House of Assembly.

SOME HON. MEMBERS: Hear, hear!

P. PARSONS: But where was I? So Ontario, for example, it has gone through the legislative process, but I will add that it is not yet proclaimed. The Doug Ford government has not proclaimed pay transparency in Ontario. So we're actually going to be a leader in Canada when it comes to the pay transparency provisions.

Of course, as we know, that requires employers to publicly disclose compensation. It is going to shed light on situations where people are paid just – I had someone this morning reach out to me, a female professional in the oil and gas industry has said to me: I can't wait until this legislation comes, especially to see what my male counterparts who are probably doing less than me, and those with my same credentials, to see what they're being paid and what ranges they are.

This is a brilliant step and it's been proven in other countries as well that it is a brilliant tool to help achieve pay equity, and that's what we're doing. I think it's unfair for the Members say we're not getting pay equity in the private sector or it doesn't go far

enough. We made crystal clear and this Premier is on record saying crystal, abundantly clear.

We are starting our consulting in the extremely near future, the consulting with pay equity for the private sector as well and also in core government, as we mentioned, but in also in the boards and agencies, Memorial University, the NLC. Those consultations will happen as well if they have pay equity for those sectors as well.

So to say that this is not going far enough – it's in motion, it's happening and I know that we're going to bring it forth. Again, this is historic. It hasn't been done prior to now. I think it should have been done years and decades ago, but it's happening now and it is progressive and the feedback that we are receiving, certainly, is positive.

Of course, there are always ways to improve and we're going to do that. It's about listening. It's about consulting. The consultations will be extremely important, to consult with our experts, the Board of Trade, the Federation of Labour, St. John's Status of Women Council, the Provincial Advisory Council and stakeholders who have valuable input and who are appropriate to, certainly, partake in this process are going to have it. That's how we do things.

I'll give an example, recently, with the vax pass. Our Premier and our government consulted with community, with the appropriate stakeholders to put the best programs forward and the feedback that we have received about that, recently, is very positive. So it's this sort of work – and the minimum wage committee, I mean, we seek the best advice possible. Again, we are relying on the experts. I like to think of us as a team in Newfoundland and Labrador, Chair, because we're all stakeholders here. We are all invested for the greater good of our great province which I am so proud of and I am very proud of this legislation and

we will do what we can to improve, where possible.

Now that's it. I'll take my seat and, certainly, if any of my hon. colleagues want to contribute to this, by all means.

Thank you.

CHAIR: Thank you.

The Chair has recognized the hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Now, first of all before I get into my questions, I have to comment on the minister and her statement with respect to the executive director of the St. John's Status of Women Council. The minister here has a very important responsibility, as the Minister Responsible for Women and Gender Equality, to ensure that she's accurate when she speaks in this hon. House of Assembly. She has engaged in selective editing and cherry-picking of what the executive director said. So it needs to be pointed out that in the media, the executive director of St. John's Status of Women Council did say that the legislation is disappointing.

I mean, we have an important responsibility here in the House of Assembly to make sure that when we're referring to what has been stated that we're accurate and that we are reporting exactly what was stated.

On that point, I'm going to continue on with respect to the consultations that took place with advocacy groups and ask the minister: What consultations actually took place with advocacy groups such as the St. John's Status of Women Council?

CHAIR: The hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Chair, and again, I thank my hon. colleague as well.

Recently we received a report from the St. John's Status of Women Council. They visited my office. They did much work actually in that report, and we received that, myself and staff, as well as the Provincial Advisory Council for the Status of Women. It's groups like this, of course, that are constantly doing work and presenting reports. I know my colleague meets with his stakeholders and receives constant feedback on the economic state, and policy here in our province, as well.

Again, I look forward to the further consultation moving forward for the agencies outside of core government and, as well, as we get into the private sector pay equity legislation and the consultation process.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Minister.

What consultation took place with groups who represent private employers in the province such as the St. John's Board of Trade, the Atlantic Canadian Chamber of Commerce and the Employers' Council?

CHAIR: The hon. Minister of Environment and Climate Change.

B. DAVIS: Thank you, Chair.

I thank the hon. Member for the question.

Obviously, we've detailed exactly what's going to happen with respect to the fulsome consultation that we're going to do. We had to set a framework based on legislative and jurisdictional scans across the country; that's what we've done here today. We've created a framework. The meat around the bone, as I've said in many times in interviews before, is going to come from the consultations with the stakeholders.

I know the hon. minister has mentioned this on numerous occasions. I'm just going to say that's constant and fulsome consultation with our stakeholder groups are going to continue. We want to get this legislation as strong as we can, but we don't want to make it too bureaucratic, we want to make it easy for businesses to be able to avail of it, and at the end of the day make sure the legislation is strong to get the achieved results we want.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Minister.

So I can conclude from that response that no consultations have taken place with the groups that I mentioned? I just need clarity on that, please.

CHAIR: The hon. the Minister of Environment and Climate Change.

B. DAVIS: Thank you, Chair.

There has been constant dialogue with the groups regarding pay equity, both in the public sphere and both at my table requesting it. Whether it be Mrs. Mary Shortall, with the Federation of Labour meeting with me on many occasions wanting to bring forward pay equity, wanting the government to bring forward pay equity. Almost every meeting it was talked about and the process we were doing. We've created a framework. I can't be any clearer than we've created a framework. We're going to put the meat around the bone on this one, for sure, and we want to make sure that it's created correctly.

The stakeholder group with respect to the business community – I'll use the St. John's Board of Trade for an example; they've also said publicly that we need to get to a point of pay equity. The devil is going to be in the detail and I can appreciate the hon. Member across wants that detail. I'm not giving it to

you because I don't have it. That's going to be developed with consultation with the business community and the stakeholder groups that are involved in this. That's what we said we're doing; that's exactly what we're going to do.

CHAIR: The Member for Harbour Main.

H. CONWAY OTTENHEIMER: So, Minister, based on a read of the legislation, it appears that there's much more consultation left to take place. Is this the case and, if so, what consultations do you feel remain, or the majority of consultations still have to take place? Is that the case?

CHAIR: The hon. the Minister of Environment and Climate Change.

B. DAVIS: Thank you, Chair.

I would like to point out that the St. John's Board of Trade and other stakeholder groups have come out in favour of this piece of legislation and are absolutely looking forward to the consultations going to take place. They understand that this is not going to happen in a silo of government and industry; it's got to be done together. The only way we're ever going to get pay equity in this province, this country, this world, is to do it together. I know the hon. Member wants to believe in that, and just like I do, that's exactly what we're going to do here now as we go forward.

Thank you very much for giving me the opportunity to answer that question.

CHAIR: The Member for Harbour Main.

H. CONWAY OTTENHEIMER: I think the minister is misunderstanding my question. So consultation requires discussions. So you're talking about publicly they've announced that they're in favour of pay equity, but that doesn't mean there has been any consultations. So I think that distinction needs to be clear here, that obviously the consultations have not really

taken place yet but they will take place after the legislation is in place. Is that correct?

CHAIR: The hon. the Minister of Environment and Climate Change.

B. DAVIS: I don't think it's right to say there has been no consultation. What we've had is we've had many discussions about pay equity in a general sense. We've looked at jurisdictions across the country, we've looked at jurisdictions around the world, and I know the department is bringing forward this legislation through the *Labour Standards Act*, which is where it's housed.

At the end of the day, we're going to consult more fulsome on how the devil is going to be in the detail. As I've said many times before, it's going to come from working with the industry stakeholders, the industry players, to make sure we get the strongest legislation that's doable for their businesses, given the fact that we don't want to make it onerous and increase the red tape that's associated with it.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: So, Minister, you've referenced the St. John's Board of Trade. You didn't indicate when I asked about the Atlantic Canadian Chamber of Commerce and the Employers' Council. So no consultations have taken place with them yet; is that correct?

CHAIR: The hon. the Minister of Environment and Climate Change.

B. DAVIS: I can't speak to exactly who has been spoken to, in which context, but I do know that I've spoken personally to both the St. John's Board of Trade, as well as the Employers' Council. Both have said to me in those meetings that they're in favour of this legislation. They do want to be involved in the fulsome consultation that's going to come from this.

We can try to create something that's not here. This is a piece of legislation that's been created based on jurisdictional scans. We're going to fill in the details with respect to consultation, which is what you should do in the development of legislation.

Thank you very much, Mr. Chair.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Minister, with respect to public service unions, can you again please describe exactly what consultations have taken place? And I'm not just referencing a conversation; I'm asking about consultations.

CHAIR: The hon. the Deputy Premier.

S. COADY: Thank you.

I'm not in his view scape so I have to say hello every once in a while.

Thank you for the question. There were extensive consultations going back to, goodness, many, many years ago with regard to the Job Evaluation System, the four pillars of the requirement of pay equity, which is skill, effort, responsibility and working conditions. There were extensive consultations that helped with the development of the job evaluation process.

I wasn't part of them at the time, but I'm understanding from officials, they were extensive with public sector. Of course, remember that I've already indicated that we have had a Job Evaluation System since 2015. We are now enhancing – that's for 85 per cent. The other 15 per cent are under a Hay system, and it's missing one of the key components, which is working conditions. We're working now to ensure that by April of 2023 that we add that four pillar, which is incredibly important.

I just wanted to make sure that you understood how important that piece is on

pay equity, to have those four key pillars available: skills, effort, responsibility and working conditions. Those are the four pillars that really do hold up pay equity. It blinds, I guess, to gender. It blinds to exceptionality. It makes sure that you're only focused on those four pillars. That's incredibly important, and there were extensive consultations at the time.

Thank you.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Minister, some jurisdictions have much more prescriptive legislation which calls on employers to make position categories; consider what percentage of employees are men, women, non-gendered; to consider the work and the skill level required of each category; and then ensure that a gendered category is not paid less.

Why was this approach not taken in this legislation?

CHAIR: The hon. the Minister of Environment and Climate Change.

B. DAVIS: Thank you, Chair.

That's a very valid question. That's a great question; I thank the hon. Member for it.

That's going to come out in the fulsome consultation. Like I said before, they're going to be responsible for determining, as a group, when the consultation starts and works with us, they're going to determine who does the reporting, how much reporting is required. The level of reporting that's required, who they give it to outside the minister, how much consultation they have to do, if they have to get a consultant.

Those are things that are going to come out within the consultation period. That's the best way to do it from our standpoint. It's going to give the businesses and the

employer groups the opportunity to make sure they do it right and get it right for the betterment of their employee base.

CHAIR: The Member for Harbour Main.

H. CONWAY OTTENHEIMER: Why was proactive pay equity legislation not considered in this legislation?

CHAIR: The hon. the Minister of Environment and Climate Change.

B. DAVIS: I didn't quite hear the question; I apologize for that. I think she said something about –

H. CONWAY OTTENHEIMER: Proactive.

B. DAVIS: – proactive?

H. CONWAY OTTENHEIMER: Yes.

B. DAVIS: We've considered the legislation as based on the Office of Women and Gender Equality, looking at working with our stakeholders.

Obviously, we want to get to a place where pay equity is right across the board, both in private and public sector. We already are here in the public sector in some ways. We have some things we have to tweak; we have to do little things better. But more importantly, we want make sure that we've signalled it now to the private sector. That is where we moving.

Let's be honest, 98 per cent of the private sector – I know I'm using a number here – pay employees well. They try to pay them the best way they can. They try to pay them based on no genderization; it's based on the position versus the person. I think that's an important piece. Not everyone does that. Labour standards are set in place to ensure that the minimum standards are put in place. Employers can do far better than that. We hope that they will do far better than that when we get to this point through the consultation period.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Chair, in the media announcement the minister said that the provisions for the public sector will be a template for consultations with the private sector to expand the legislation into the private sector.

Why hasn't this been done before now?

CHAIR: The hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Chair.

Yes, again it goes back to the consultation. I mean, we've had conversations with stakeholders. I know I have with my team. I've joined my colleague, the minister, for other stakeholders throughout the province and I'm telling you – and I encourage the Opposition to reach out to these stakeholders directly. If we were to go ahead and implement private sector pay equity without consulting with the businesses and how they'll be affected, what they're going to have to do, the people they employ, I don't think it would go over very well and I don't think it would be a respect or a courtesy to the very valuable industry players within our province.

I can quote these community stakeholders from yesterday again, how they want a fulsome consultation. As I said earlier here in Question Period, I had received an email from the Federation of Labour for Newfoundland and Labrador. They want to be involved in the consultation.

I will also add, I notice the Member is using language like women and men – how many women are identified, how many men. Let's also remind this hon. House and the Newfoundland and Labrador public that this is also about gender-diverse people and people with intersectionalities, such as people with disabilities. That's very important. As an expanded mandate, it's

beyond the status of women. We know we have a standalone department now called Women and Gender Equality. So there are many things that are encompassed here in this legislation.

I don't know why it's kind of back and forth about encouraging us to move and implement this private sector pay equity without consultation. That's not a smart thing to do. I know our government has no desire to move on such important legislation without consulting the appropriate stakeholders. Again, they are the experts and their input is needed and it is valued.

Thank you.

CHAIR: The Member for Harbour Main.

H. CONWAY OTTENHEIMER: Chair, again, I have to correct the minister on the selective hearing that's taking place now because in the question that I just asked I referenced what percentage of employers are men, women or non-gendered. So you have to be very careful when you're making statements, Minister, that they are accurate and reflect what was said.

I'd also like to go to the fact that in the media announcement – well, first of all, I will admit that the legislation is a first step towards pay equity and that is something that we did acknowledge. We haven't disputed that, Chair, that this is a first step, although albeit a small one. But it will not ensure that all women and gender-diverse people in this province are paid the same as male counterparts.

Will the minister commit to reviewing it again next year for additional measures to help to ensure that pay equity occurs?

CHAIR: The hon. the Minister of Environment and Climate Change.

B. DAVIS: Thank you, Chair.

As with every piece of legislation that comes in this hon. House, we've come on many, many occasions – we just seen one a second ago that talked about presumptive cancer coverage. We've always looked at things where we can improve legislation; we're going to continue that. We do that with the *Highway Traffic Act* on a regular basis in this House maybe two, three times every sitting. So from that standpoint, we're definitely going to be there.

The hon. Member across talked about proactive pay equity, proactive legislation. The hope is that this going to be the most proactive across the country. There are only two jurisdictions that even have this both enshrined in legislation. We're going to be the other one.

So at the end of the day I understand the detail is not there, which you'd like; I get that. If I was on your side I'd ask those questions, just like you're asking, but at the end of the day, they're going to come based on the consultations with the stakeholders. That's how this is going to be built. We're not prepared as a government to build this legislation without stakeholder engagement. It's the best way to do it. We believe it's the best way to do it. If you have another way that's better, let us know.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Thank you, Chair.

This legislation its effects will be April 2023, correct?

I guess what I'm looking here for, Chair, is when exactly will anyone benefit from this legislation. Is it after April 2023?

CHAIR: Is that your question?

J. DINN: Yes.

CHAIR: The hon. the Minister of Environment and Climate Change.

B. DAVIS: Thank you the question.

I don't want to speak for the public sector, but it is part of the legislation. The public sector has benefited from it right now since the JES has been in place, but at the end of the day, April 1, 2023, is when that's going to come into force, with the other pillar that we're going to have to put in place from conditions of work, which is an important piece.

Right across the board, we're going to start consultations very, very quickly with the stakeholder groups. We're going to make sure that that's fulsome so that we can bring the best legislation forward as quickly as we possibly can. That's what we want on this side of the House, it's what you want on that side of the House and it's what the general public wants.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: So, really, what this is, is an elaborate notice of motion. That's what this comes down to. It's an elaborate notice of motion. Full of sound and fury, a lot of fanfare, a lot of bells and whistles but really there's nothing that would prevent this from giving notice now and then having this fulsome consultation and bringing the full piece in April. But instead, we're going to have this notice of motion right now.

I'm really astounded by that, Chair. Then to put all this as giant step forward. So I do want to ask another question. I've heard many statements here with regard to this whole issue of pay equity, because in the end this issue of pay equity affects employees, people who are employed. Yet, I've heard many times from the other side about how we need to consult with employers.

I'd like to know, are we going to be talking to the employees in these private enterprises how they feel, what they want. Because I haven't heard employees mentioned. So I

would really like to know that question. I have a few more, but I'll wait to hear the answer to that one, please.

CHAIR: The hon. the Minister of Environment and Climate Change.

B. DAVIS: It's a valid question; that's why we're doing this as it is right now. We want to make sure the employees have the pay equity that they require. That's going to take consultation between both union, both labour movement, both the employers that exist.

If the hon. Member wants us to go ahead and just roughshod this stuff over the business community, that's not what we're interested in doing. That's what we're interested in working together to make this the best legislation we possibly can for the employees that we all represent, the employees that are employed and the employers that are employed that we represent as well, the union and labour unions that we all represent as well.

This is all about a fulsome consultation between all parties involved so that we get the best legislation for it. If you want to push things forward without consultation, that's not our job here.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: I like the turn of phrase there. No, what I'm asking – if anything else I'm telling you not to push it forward. I'm asking for some fulsome, meaningful debate.

The problem is, Chair, I still haven't heard it. What about those employers, those who are unionized, no problem, but there are plenty of employees who are in the private sector who don't have that voice as such.

So again, it's a simple question: What are the plans to make sure that we engage employees in this as well in this consultation piece? Because I haven't heard that

mentioned until now, until they were called on it, about their attempt to, like, we're going to engage employees. Because we want to hear from employees out there as well about it. That's the simple question I'm asking.

CHAIR: The hon. the Minister of Environment and Climate Change.

B. DAVIS: Mr. Chair, thank you very much.

You can't have your cake and eat it too. You can't say that you didn't consult beforehand and you don't want us to consult now. What is it?

We're sitting here; we're trying our best to consult. We're reaching out; we've put a framework in place. At the end of the day we've put the framework in place so we have something to consult on that's meaningful. Meaningful consultation is better than lip service, which sometimes is provided in this House. What we're trying to do is we're trying to consult so it makes the strongest legislation for the employees that we all represent, every one of us in this House, regardless of stripe.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: So it sounds like they have no plan to consult with employees. That's what this comes down to. They've had five years; haven't done it then and don't plan to do it in the future – fair enough.

Now, we've been told that the Minister Responsible for Women and Gender Equality obviously got a very glowing letter from Mary Shortall, the president of the Federation of Labour. I just want to ask her a few questions related to the press release that was issued.

In terms of the supposed enthusiasm looking forward to the consultation piece, she says with this inadequate legislation, the Government of Newfoundland and

Labrador lost the opportunity to meaningfully address the gender wage gap and the undervaluing of work done by women and gender-diverse people in the province.

Would the minister care to react to that statement or explain how it's such a difference in opinion here?

CHAIR: The hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Chair.

Again, I guess based on that too, I can tell you that my office, we were in touch with Mary Shortall, the person in question. She's made it quite clear that she wants consultation and she wants to be involved. She said we are available; call us. That's going to happen.

We can appreciate everybody has a job. Everybody was wearing their specific hat for whatever organization they're a part of, has a job to do, and that's to critique and that's to add feedback. That's what we're going to do. I mean it's been said here over and over again, there's going to be consultation.

To say that it hasn't been meaningful, I guess we're on a difference of opinion and I'll have to accept that, but implementing pay equity in the public sector immediately, April 1, 2023, with immediate consultation to then include Memorial University, boards and agencies, NLC, this is happening.

Just to put on the record, because there seems to be some confusion even in the definition of pay equity, and I will admit it is a very complex topic and definition, for that matter. Pay equity means a compensation practice that is based on relative value of the work performed, irrespective of the gender of employees, and includes the requirement that the employer not establish or maintain a difference between the pay paid to employees based on gender who

are performing the work of equal or comparable value.

That's what we're all here for. Everybody here, we all bring different experience to the table. We come from different backgrounds. The most fulsome and healthy discussion is what's going to happen; it's happening now here in our Committee of the Whole which is an amazing process, as we all know. Again, we're going to do everything that we can to consult with the right people.

Less than a year ago, Members opposite were complaining and coming down pretty hard that there was nothing. There was no pay equity for the public sector, certainly not for the private sector. Since 2015, it was this administration that introduced the Job Evaluation System, which, as my colleagues elaborated on, is based on skill, effort, responsibilities and working condition.

Here in the public sector, based on the information that's come forward, we're not seeing discrimination here in our public sector in Newfoundland and Labrador. As a matter of fact, it's been said and statistics provide this information, that there are actually more women in manager and director positions here within the public service. So, again, this work has been happening, but we're now going to enshrine it in law.

I value everybody's opinion. Ms. Mary Shortall – I have a lot of respect for Mary Shortall and it's going to be people like Mary Shortall that we need around that table; people from the Board of Trade; the St. John's Status of Women Council and, yes, employees. Obviously employees are the people who are arguably affected the most here.

I look forward to those consultations and who knows, the Members opposite, they're certainly always welcome to provide their input to put forth the best legislation that we can for the people of the province.

Thank you, Chair.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Well, I'm glad that the minister finally recognized that employees are at the centre of this, finally. I'm finally hearing that over there.

Mary Shortall in her press release – and this has to do with consultation: While it's important to follow through on it's 2017 promise to address the wider gender pay gap through pay equity legislation, it is hard to understand why in those five years government never reached out to the labour movement and other groups who represent workers, men and gender diverse people and who have been doing this work for decades, continued Shortall. Consultation after the legislation is tabled feels like a slap in the face to pay equity advocates who have been doing this work for years.

So I'd certainly like to hear the answer there because there was only six meetings in five years. Is this really a priority? Is this really a lack of commitment? And how do you explain the fact that obviously the leader, the President of the Federation of Labour, feels that government has done very little – almost zero – in consultation.

CHAIR: The hon. the Deputy Premier.

S. COADY: Thank you very much, Chair, for the opportunity to allow me to inform the Member opposite there were extensive consultations back when we were developing the Job Evaluation System for the Province of Newfoundland and Labrador. They contain the four pillars that are requirements of pay equity. This is best practice of pay equity. I've already mentioned them but I think they bear referencing: skills, effort, responsibility and working conditions.

The labour movement – and I applaud them for working with government at the time to

ensure that these four pillars were enshrined in the Job Evaluation System that is now in place for 85 per cent of the public service. It allows us to step forward and say those are the requirements we feel for pay equity.

I would also say to the Member opposite, we recognize that for the 15 per cent of executive and management that are on the Hay system, that there is one pillar missing – working conditions – and we are now working with the service provider, Korn Ferry, who provides us with the Job Evaluation System, that we will add working conditions to ensure compliance by April of 2023.

Thank you.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Well, I have had a definition of pay equity and I've had a lesson on the Job Evaluation System, but I still haven't heard an answer to the question. Thank you for that.

So I'll ask a simple question: Did President Shortall of the Federation of Labour get it wrong? That's all I need to know, did she get this wrong when she talked about the lack of consultation?

Either the government is wrong or Ms. Shortall is wrong.

CHAIR: The hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Thank you, Chair.

Again, we're not here to split hairs and to say who was right and who was wrong about this. The point is legislation is moving forward. It is a step forward; a step forward is a step forward. It is the most action that we've ever seen in the history of Newfoundland and Labrador.

I will say again for the record that I have a lot of respect for Ms. Shortall and everything that she brings to the table. We've already had that discussion. She is going to be welcomed and we will be relying on people like Ms. Shortall to help bring forth and to work on this so that we can put forth the best legislation possible.

And a side of humour, Chair, I wanted to say that the Member opposite who is obviously very passionate about his former career talks about how he was just given a lesson. Anyway, I remind the hon. Member that he tends to give lessons all the time in this House.

Again, it is not about who's right or about who's wrong or about getting petty, if we will; it's about putting forth the best legislation that we can for Newfoundland and Labrador.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Yes, I will give lessons to those who are in need of it.

SOME HON. MEMBERS: Hear, hear!

J. DINN: Those who are in need of it.

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

J. DINN: So with regards to this – and I'll read a few comments here because there's been much about how many people are supportive of this and the reference to the fact that my predecessor, the former representative for the St. John's Centre, how much she fought for this. I'll read a few comments from her SaltWire interview yesterday.

"I was quite surprised because there seemed to be so much fanfare about what has been accomplished by this government around this area, and it's really, really not

there." Now this is from the person who put forward the private Member's motion who was truly committed to pay equity.

"It's so thin, particularly because there's no timeline for implementation for what's going to happen beyond just that little bit that they're doing around core public-sector workers, and I'm surprised at what appears to be such a limited amount of in-depth, comprehensive work. So basically saying, 'Well, now we're going to consult.'

"What in God's name have they been doing? For seven years what have they been doing? And then it's five and a half years since my private member's motion where they all supported this and said, yes, this is so important, we're going to do it. Five and a half years later, what have they done? And now they're going to consult?"

This is about peoples' lives.

"This is not rocket science. This is a basic human right, and that should be the guiding principle in all the work that's done in the area of proactive pay equity. That has to be the basic driving force — that this is a basic human right, and come on, let's get on with it in a meaningful, just way. Smarten up. Smarten up, government, smarten up."

So here's where it comes, because in the end this is about people's lives; this is about the ability to put food on the table; this is about people being able to afford a place in which to live. That's what this comes down to. This is about people out there who – and I'll talk a little bit later about it because I don't think the other side has even considered about those who are in the gig economy; those who are contractual employees; those who are the Uber Eats drivers as to whether they are going to benefit from this. There are so many people that could be left out. But in the end what we are going to do is we are going to consult with employers.

In all of the rhetoric on this, it's about the employers. Where were the employees until now? They are the backbone. If you remember during COVID-19 we couldn't do enough to sing their praises. Now, it's they're not part of the consultation until they are actually brought to your attention. Now, oh yeah, we're going to consult with employees, but it was always the employers.

So if we're going to do this right, tell you what, this is not a step forward. This is stalled. This is inertia. Why not start the process now. Bring the bill back in April or when we sit again in the winter, and let's get on with it then and do it right.

SOME HON. MEMBERS: Hear, hear!

J. DINN: Unless you can show me some immediate benefit to those in this area, this is a piece of legislation without teeth. It's meaningless. It's empty rhetoric.

Better yet, just put it aside; do it right. Come back with the legislation, unless you can show me some immediate benefit, right here, right now.

CHAIR: Thank you.

The Chair recognizes the Minister of Environment and Climate Change.

B. DAVIS: Thank you, Mr. Chair.

We lose messaging when we start with rhetoric. We talk about rhetoric right now. That was not much more than rhetoric. Whoever yells the loudest, gets heard the most. That's not how this works.

SOME HON. MEMBERS: Hear, hear!

B. DAVIS: Obviously, it's not how it works.

I'm standing here; we're saying that we're going to consult. We can't say more than that. We're going to consult. If the hon. Member wants us to not consult with – he

seems to attack business more than help business, which is fine. I understand that. We mentioned business because they are the ones that pay employees. I'm not suggesting that we're not going to talk to employees. The minister already said that. The minister already said that we're going to speak to labour movement. We're already doing that and we're going to do that.

I don't understand why we're trying to fight over why we didn't do it or why we're not doing it. I'm not yelling like you were. This is not a game we're trying to play.

L. EVANS: It is not a game.

B. DAVIS: It's absolutely not a game – thank you very much, the MHA for Torngat, for interrupting me while I'm speaking. Thank you and telling me it's not a game.

SOME HON. MEMBERS: Hear, hear!

B. DAVIS: Because it's not a game. I specifically said it was not a game right from the start. This is not a game; this is people's lives. We want to make sure that when we consult, we consult fulsomely with every party involved – everyone. We want to make sure of that.

If you don't want to do that, that's fine. I can appreciate where you stand, but that's not where we stand. I'm sorry that that's not where we stand. I agree with the hon. Member on many, many things. I don't think I agree with the rhetoric that was used in that case. This is not rhetoric. I'm standing here saying we're willing to consult; we're looking forward to consulting. All of the parties have come back to us saying they're willing to consult. The only ones that's upset about the consultation part is you.

CHAIR: The Chair recognizes the hon. Member for St. John's Centre.

J. DINN: You had five years to consult. Now it's a priority – five years. The president of the Federation of Labour has made that

point; Jerry Earle has made that point. What in the name of God has been done in five years that we all support?

So to me, I'll believe it when I see what – I've had my fill of what's called meaningful consultation, so I'll wait and see it, but you've had five years to consult, to demonstrate your commitment in this and how this is a priority. They have failed miserably.

So let's move forward, we'll see what happens. It's a do-over, but better yet if this is not going to have any immediate effect, then we can certainly leave it until then and have it come back with something that we can have a fulsome debate on.

CHAIR: The Chair recognizes the Minister of Immigration, Population Growth and Skills.

G. BYRNE: Mr. Chairman, Members of the Opposition struck me to rise to my feet and speak to the merits of this particular bill. We can be here a long time talking about what those who did and did not do, what was not performed, what should've been performed. The reality is we have a duty to act today.

The Opposition often reminds themselves more so than us, but live in the present not in the past. This is one of their refrains that they often use. So I'll remind the Opposition, or at least some of the Opposition, to live by their own words. This is a brand new day. We can create a lot of reasons as to why someone would be afraid to act. In fact, when you call out somebody because you did not do something in the past, you draw particular attention to that, you attempt to lower their self-esteem and suggest their not truly, truly committed.

The truth is, I see a lot of that that could be applicable on every Member of this House. This could be applicable to every Legislature that has ever sat because this issue obviously has been around for not months, not years, decades. The point here,

Mr. Chair, is that I think we all should take a certain level of pride – constant pride in that we are advancing something which has not been done before by anyone and that, I think, is what is worth celebrating.

SOME HON. MEMBERS: Hear, hear!

G. BYRNE: So, Mr. Chair, that is simply my reflection of the day right now. Is there work to do? Obviously, there is work to do. Is there an attempt to diminish the overall merits of the efforts before the House right now? Yes, there obviously is. Is it political? Yes, Mr. Chair, it obviously is. Unfortunately, for whatever reason, the Opposition feels as though our success is their failure. I really will encourage them not to take that point of view. It diminishes their own role in influencing any of this, because what is before us today is something very historic.

It would be considered just current and momentary, if this were a problem that were identified just days, weeks or months ago, for which a solution sprung forward. That is not the case, Mr. Chair. This is a problem which was identified decades ago for which – and let's call it as it is; let's speak the truth – there was little done in the past. There were steps that were taken to support today's initiative, yet today's initiative is very groundbreaking.

So, Mr. Chair, I simply implore upon all Members of the House, don't diminish your own role in this.

SOME HON. MEMBERS: Hear, hear!

G. BYRNE: Enjoy where we are today because we all had a role in this.

I want to say a very special thank you to the minister responsible for the Status of Women and, as well, the Minister of Environment and Climate Change, and Labour. I'd like to say a very special thank you to my Premier, but I'd also like to say a very special thank you to the Opposition

critics, because as we know, if you don't work with each other in various ways and forms, things do not get done.

An old story about – I think about the days of the hon. George Baker and the hon. John Crosbie. John Crosbie often mused about the fact that sometimes it was difficult to get things done in Cabinet. If someone didn't identify a problem, I remember the story that – George Baker told me this story himself. He said the hon. John Crosbie came to him one day and said: George, I'm trying to get this done in Cabinet; it's not working. They're telling me that why are you coming to Cabinet, John, with no problem? There's no problem to solve here. So, George, I need you to stand on your feet on the floor of the House of Commons and I need you to take a shot at me. George says: Well, John, I'll certainly do that. And so they developed a strategy whereby they worked with each other to draw attention to critical issues and lo and behold actually got taken.

So if I could suggest to the hon. Members, don't feel that this is your failure. This is part of your success because you're doing what Opposition critics do, which is drawing attention to critical issues, and guess what, while this government does some of the heavy lifting and does some of the work.

Enjoy your successes here today, folks. This is just as much your achievement as it is anyone else's, because by your chirps, by your barbs, by your effective way of presenting that there is a problem, everybody is more aware that the problem exists.

So while we do this, we have brought forward effective legislation to begin a very, very substantive process to do what is required of us under natural justice. And guess what? It's going to work. So we'll get there.

God bless everyone. Thank you all very much, Mr. Chair, for your indulgence. Thank you all very much for your attention. This is

one of the most productive – I felt as though you were paying most attention to me this afternoon, so I appreciate that very much.

So with that said, on with the debate.

CHAIR: I next recognize the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

SOME HON. MEMBERS: Oh, oh!

CHAIR: Order, please!

L. EVANS: Yesterday, I talked about a lack of planning, I talked about a lack of consultation and it's really hard to speak on this bill, this legislation without emotion. Sometimes we raise our voices but it's not because we don't have respect for the work, but really the work has to be there for us to respect. It's so, so important.

I didn't plan to but I'm just going to read a quote here from Gerry Rogers, the former Leader of our Party, the person who actually brought forward this private Member's resolution that started this a few years ago. She says: "I hope that this can be pulled together. I hope that they can get beyond smoke and mirrors and beyond just self-congratulatory press conferences, and really get down to the work that needs to be done so that it's focusing on the lives of the people of our province."

So we take it seriously, the lives of the people of our province. Smoke and mirrors, self-congratulatory press conferences, I'm sure Gerry Rogers has heard a lot of that while she was in the House. It was mentioned about her dancing shoes, and I have to tell you the dancing shoes wouldn't be on the floor if she was here, I think they'd probably be shoved up somewhere where people couldn't see them, in all honesty. Because at the end of the day, there's a lot of stuff that's been said in this House that hasn't been accurate about consultation.

And what I mean is Gerry Rogers would have put her shoes away, up underneath this desk and she certainly wouldn't have been dancing. If people are reading anything into my comments to try and belittle me, well, then, they have another thing coming. Because I put stuff away underneath my desk, and I'm sure Gerry Rogers would be pushed up there out of sight, out of mind. She certainly wouldn't have been congratulating the Members of the House for something that was so important.

I have to tell you something else, if somebody tries to say that I didn't support pay equity today in this House of Assembly, if they tried to say I didn't support pay equity, I'll say I couldn't accept the legislation that was put forward because of the failure that was proposed before me.

I feel I have to defend the hard work of women, advocates that have worked so hard to get it here, and then to be disappointed because they weren't consulted. Gerry Rogers's shoes would stay underneath the desk if she was actually a Member here. She certainly wouldn't have them out dancing here.

I know the way people work here. People try to take something and twist it. Maybe it's about what I said or maybe it's about what the executive director had said when she was speaking at the press conference – the St. John's Status of Women Council – what she said because what I heard wasn't accurate. This legislation was tabled without consultation.

Another thing, too, is the minister actually just said this government has no desire to move on legislation without consultation. That's exactly what you said. I wrote it down as you were saying it. Yet, we hear from press releases and through interviews in the media that the greatest advocates for women have not been consulted. In actual fact, the government is saying that themselves, right?

I'll tell you what's also shameful, is that the minister actually admitted yesterday that the best legislation is brought through by consultation. I'm going to quote her. This is from the Minister Responsible for Women and Gender Equality yesterday. She said: "This is a strong step and I look forward to collaborating, of course, with stakeholders so we can put forth the absolute best legislation for the women and gender-diverse people and marginalized groups here in our province"

So we can put forth the absolute best legislation. She looks forward to collaborating, but the irony of that is the legislation is here, tabled today – where's the consultation? It's going to happen after the fact. That's something that we can all agree on and that's something that is outrageous because how can you put forth the best legislation without consultation?

I'm going to say now to offset what was said that wasn't accurate here in the press release from the Newfoundland and Labrador Federation of Labour dated today. "The legislation was developed without prior consultation with unions or the NLFL, who have been advocating for proactive pay equity legislation for years." That's in black and white, directly from them. So what was said earlier is in direct contradiction to what they're saying.

And down here, this was mentioned earlier by my fellow MHA: "Consultation after the legislation is tabled feels like a slap in the face to pay equity advocates who have been doing this work for years."

So it's really, really difficult. And do you know something? It's difficult not to have emotion, not to actually raise your voice. Not because you want to actually be angry or be loud but because you want to make sure that your comments are heard. It's very, very upsetting.

The St. John's Status of Women Council, the executive director said yes, they've met

with government but they were not consulted. So all that rigmarole of talking about oh yes, we were consulted – not true consultation.

The St. John's Status of Women Council also said this is not really new legislation. This is not legislation that will help the people that she speaks to on a daily basis, and I quote: The people that called and talked to her office after we released our report and said the lack of pay equity is affecting them today, those were not the people working in the public sector.

So really what are we looking at? What's this legislation going to address. How effective is it?

CHAIR: Order, please!

I'd like to be able to hear the Member.

Thank you.

L. EVANS: I'll continue to quote her.

This is what really upsets me. The executive director from the St. John's Status of Women Council said yesterday: I can't even give –

CHAIR: Order, please!

L. EVANS: I can't even give a grade – referring to this legislation – because I don't think we have something really new and that will really do what the province needs.

AN HON. MEMBER: Who said that?

L. EVANS: The St. John's Status – the executive director Lisa Faye.

For me it's very upsetting. So I think Gerry Rogers's shoes will actually stay very much put away. She won't be bringing them out to dance. And also she said she's very, very disappointed.

I do have a few questions here, if I can actually even get focused on them. Chair, to me, this is upsetting. I actually feel like we're being belittled over here, trying to raise the points, you know, not having the points listened to, having contradictory statements over and over again just like as usual. But this is very, very important.

One of the questions that I have is: How will this legislation address the systemic undervaluing of jobs that are traditionally performed by women and gender-diverse people? I was wondering if somebody over there could answer that.

AN HON. MEMBER: (Inaudible.)

L. EVANS: You want me to ask that again. How will this legislation address the systemic undervaluing of jobs that traditionally are performed by women and gender-diverse people?

CHAIR: The hon. the Minister of Finance and President of the Treasury Board.

S. COADY: Thank you very much.

I'm happy to give kind of an update on the Job Evaluation System. It does contain the four pillars, which are the best practice of pay equity. You're evaluated in your position based on skill, based on effort, based on responsibility and based on working conditions. So it is blind to gender. It makes sure that your job is evaluated based on those four criteria.

That's why we think it's important to enshrine this in legislation. It's important, as I've already mentioned in this House, to add to those executive, and there are a significant number of executive, the majority of them are women, about 60 per cent of the executive within government are women. It's important that we enshrine that – sorry under the Hay system, those that are executive and management are under the Hay system, to add that working condition.

So it's important to create, what I'm going to call that leadership baseline on those four pillars and to ensure then that agencies, boards and commissions follow suit. We are actively working with organizations like Memorial University. They do have a Job Evaluation System. We're making sure that they are based on those four criteria and there are some; if it's not, they have to update. Same with Hydro, for example, making sure that they meet those standards.

I would say to the Member opposite, and I know you're sincere in what you're saying and I'm sincere in what I'm saying to you. Based on those four criteria, it is very important that job positions are evaluated on skills, effort, responsibility and working conditions.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you.

Mary Shortall, the President of the Newfoundland and Labrador Federation of Labour said that – and I'm going to just quote off her press release: "We know that systemic wage discrimination exists in both the public *and* private sectors" – this is just about addressing the public sector right now; I'll continue on – "so it is unfortunate that the pay equity section of this legislation does not apply to the private sector at all, which means that thousands of workers in jobs dominated by women and gender diverse people will continue to be underpaid."

Now, I was listening to actually the executive director of the St. John's Status of Women Council, when she was talking about this she was equally disappointed. She said it's so important to see the timelines.

So I would ask: What are the timelines for the introduction of pay equity legislation for

the private sector? This is a serious concern and people want an answer to that.

CHAIR: The hon. the Minister of Environment and Climate Change.

B. DAVIS: Thank you, Mr. Chair, and I thank the hon. Member for her question.

Obviously, the consultation period is going to start very, very quickly. We're working on that consultation plan. As I've said before, we can't move forward with the pay equity until we get pay transparency, which is part of the framework that's being created right now.

I look forward to that fulsome conversation and fulsome consultation that's going to happen very, very soon with all the stakeholders involved. I hope the hon. Member is going to be a part of that process as she brings very good ideas to the House of Assembly every time she speaks.

CHAIR: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

The Newfoundland and Labrador Federation of Labour stated that "Based on initial review, the province's pay equity provisions are very thin" – Gerry Rogers also uses the words very thin – "and do not meet the bar set by Ontario, Quebec and the federal government."

Now, we asked, we never got an answer, so I'd like to ask, the Ontario pay equity commissioner wrote to the premier and the minister on August 17 offering the assistance of her office. Did the minister take her up on this generous offer?

CHAIR: Any further speakers to the bill?

The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Mr. Chair.

I'm not sure what happened that time. Almost like an attempt to shut down the debate almost. That's what it felt like, but anyway.

Mr. Chair, I'm just looking for some clarification from the minister. Will this apply to municipalities as well?

P. PARSONS: Yes.

P. LANE: It will? Okay.

CHAIR: So I can get that in the record, the hon. the Minister Responsible for Women and Gender Equality.

P. PARSONS: Yes, to answer your question and also Memorial University and the NLC. All the As and Bs, if you will, boards and agencies in the public sector, yes.

CHAIR: Thank you.

The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Mr. Chair.

When the deputy premier talks about the 85 per cent of the public sector that are already doing this and then we're talking about the 15 per cent. Could she just expand for me upon who is the – I think I'm understanding the 15 per cent are management employees. She's nodding her head.

But if that's the case then why are we talking about consultations with Hydro and MUN and so on. Is that another group that are not currently on board, or are they also doing it?

CHAIR: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: Thank you very much.

About 15 per cent of the public sector fall into the executive, management and

support for executive and management. They are under the Hay system, which is another Job Evaluation System. The Hay system does take into effect three of the four pillars, but does not include working conditions. So we have already started a conversation with Hay, now Korn Ferry, to add the fourth provision so that will be in place before April 1.

I will also inform the House that all the other agencies, boards and commissions, many of them have different types of Job Evaluation Systems. I'll give you an example. College of the North Atlantic does use a Job Evaluation System and Hay, similar to government. But Memorial University uses a different version, Aiken, and it is pay equity compliant, but there are a few people, I think very few people, that are under a Hay system. So Memorial University has a little work to do to make sure those four pillars are used.

Hydro uses the Hay system, so of course they've updated in some ways the Hay system, but for some people they didn't update on working conditions.

So we have to work with Hydro. We've already had multiple conversations and have been working with them to make sure that they are compliant with the legislation.

There is work being done to bring it up. Those four key pillars – and I am being sincere – are really the standard on pay equity. You can appreciate why: skills, effort, responsibility and working conditions. So we have a little bit of work to do, but a lot has been done.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Chair.

Clause 5 defines the employees of the public sector in which the pay equity legislation pertains to. Contractual

employees and students are excluded; they will not be governed under the pay equity legislation.

Why is this the case? What's the rationale, please?

CHAIR: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: Thank you very much.

Of the 10,000, roughly, core civil servants, about 200-plus, 200 to 250 are contractual. They are short term, usually, in duration. They are not – if I can say this, they are for a specific set of skills, for a specific set of time and are taking on a specific action. Therefore, they may not be here long enough to do a full job evaluation. Because if I could use the term “transient” – and I don't mean to diminish it. I mean it's a fluid situation. Students, for example, would only be here for eight weeks, maybe. So you wouldn't go through a full Job Evaluation System.

Remember, we've tried to get best practices across the country. PEI, for example, because I happen to know this, has an exemption for contractual. Again, they are fluid positions, usually short term in duration for a specific project and are fluid. So you wouldn't necessarily do a job evaluation on that particular position.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: With respect to clause 6, it gives Cabinet the ability to exempt an employee or a class of employees from pay equity legislation. Why is this included in the legislation? And can the minister give an example of where an employee will be excluded from pay equity?

CHAIR: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: Sorry, I just have to turn to make sure I'm getting this.

This section, 6(1), I believe – is that the section you're referring to? I'm looking to my colleague – 6(1) “This Part applies to all employees employed in the public sector with the exception of employees who are employed with a public body that has less than 10 employees.” That's the one you're referring to?

H. CONWAY OTTENHEIMER: It is.

S. COADY: Only because less than 10 employees. The organization may not have the sophistication. This is also found in the New Brunswick legislation. I'm giving you some examples of why this might have been chosen.

So it's similar to other jurisdictions that we're carving that out. They're small numbers of employers. So if you're an employer with 10 employees, you probably don't have the sophistication or the financial ability to be able to fund a system for just 10 employees. You likely don't have a Job Evaluation System in place.

For small organizations it would be difficult to have a sophisticated Job Evaluation System. We are indicating, however, in this legislation that we would expect it to be based on the four pillars. They may not have a full Job Evaluation System in place. Like if you have a municipality of two, three or four employees, we can't expect them to have the full job evaluation process in place.

We would expect them to base the pay of the positions on the four pillars of skills, effort, responsibility and working conditions, and they would look to their other colleagues around the province, perhaps, to ensure that they do that. But it's really just to mirror small organizations that probably don't have the ability to have a full-blown system in place, but we still expect them to utilize the key components.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: I think that the response provides clarification with respect to 6(1). With respect to 6(2), however, it does give Cabinet, by regulation, the ability to exempt an employee or class of employees.

So that's what is of importance to me to understand why is that particular clause included in the legislation. I'd like to see an example of which kind of employee will be excluded from pay equity.

CHAIR: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: Thank you very much.

I'll certainly get that information for you and will respond to it as quickly as possible.

CHAIR: Back over to the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Mr. Chair.

Minister, I want to go back to a point that I raised in debate in the second reading. I'm just looking for some response, some feedback, whatever. If we're truly serious about pay equity, what are our thoughts or what are our plans or intentions as it relates to people who are not working directly for government but their positions are funded by government? An example I want to use, as I used last time, was people who are doing home care.

So I would suggest – and I have don't have the stats, but my gut feeling would be that that industry is predominantly female occupied in those positions. Now, I know there are some males but generally speaking, at least from people I know, and I have come across experience, they have been dominated by females.

I look at people who are doing that type of work. It depends on the client, but the work can be very complex. There are some people it's just some lighter duties but there are other people where there's heavy-duty. There are dealing with people with IVs, changing bandages and all kinds of specific skills to care for someone's health.

Yet in most cases, I would suggest, that these people are only making a little better than minimum wage; that's all they've traditionally been making, and a lot of that is not necessarily the fault of the home care agency because they're depending on funding from government to fund the hours for the clients who need them. As a matter of fact, there are some people who choose not to go with a home care agency at all, and they just have to pay the person directly themselves. But again, it's based on minimum wage, is what it's based on.

So given the fact that really, in a sense, you have private companies, or private individuals who are an extension, if you will, of our health care system doing duties that one would argue could be public sector type duties. Yet, they're not getting paid what they should and they don't have any Job Evaluation System and so on that should possibly be paying them much more than what they're receiving now.

Given the fact that it's government who is directly funding these positions, it's really government that has to take the lead role, if we are truly serious about pay equity. I would ask what plans, if any, or what your thoughts are on government, whether it be home care, possibly child care, or any other –

S. COADY: They're private sector.

P. LANE: I hear the minister saying they're private sector and I understand they're private sector and I understand there's one set of rules.

If I'm a private sector company and I'm operating a business with my own dime, my own money, that's one thing. But when you have a private sector company that the government is basically contracting out their responsibilities, their roles to a private sector, and now the people in those jobs that are performing, as I say, very important jobs, and it's female dominated but they're not getting paid the wages necessarily that they should, then I think that government should have a more proactive role in those cases.

Someone doing home care is quite different from someone in the private sector working at McDonald's. Government got nothing to do with that one, but they do have something to do with funding the positions. Obviously, the home care agencies cannot pay people the wages that they might deserve under an evaluation system, if government is not prepared to subsidize the clients to the amount that they're able to pay them, what they are entitled to.

So like I said yesterday, if we're not going to go down that road, I think we're being somewhat hypocritical in saying that we support and believe in pay equity. So I don't know if the minister has any comments on that or not.

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

B. DAVIS: Thank you, Mr. Chair, and I thank the hon. Member for the question.

It's a very good one. Obviously, we want to pick up through the consultation process with putting the meat on the bones, as I've talked about before. We want to pick up those organizations, either non-profit or for-profit, that are either solely or wholly funded or partially funded by government. Obviously, we want to pick those up in the consultation process. That's going to be part of that fulsome consultation I talked about before.

We want to make sure that those employees – depending on the size of the firm and what's determined based on the consultation, we want to make sure how the reporting mechanism is going to work. What's going to be reported? How big are the companies and businesses that are going to report? What are the types of information we want to report on? Those are all things that are going to be shaped by the consultation.

It's a very valid point and I'll take that under advisement for sure. I'm sure my colleagues will as well. It's a very good point.

CHAIR: The hon. Member for Torngat Mountains.

L. EVANS: Thank you, Chair.

Keeping with the concerns raised by the Federation of Labour, the guidelines for pay equity established by the International Labour Organization in 2013 were not followed: "The guide states that consultation with social partners, such as workers' organizations and employers, is crucial to achieving equal pay." Also, the Minister Responsible for Women and Gender Equality just said: This government has no desire to move on legislation without consultation.

So my question to this government is: What was your rationale for bringing in the legislation and then going to do the consultation later?

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

B. DAVIS: Thank you, Mr. Chair, and I thank the hon. Member for a very good question as well.

Obviously, that's an important piece. When we bring forward legislation, we want to bring forward the best legislation we can. Part of it was the framework that we used from a jurisdictional scan across the

country, picking the best pieces of legislation we could, obviously, working with our stakeholder group. That's going to help shape the details around how we're going to evaluate how they report, what's going to be reported, the size of the firms that are going to be reporting and the style and I guess the ebb and flow of what's actually going to be put in place.

I look forward to those consultations and having all people within the tent. I look forward to the hon. Member, as I would in every case. She always brings forward good ideas; let's bring forward to the table like this.

Thank you very much.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Chair.

This is a question about the regulations. We need clarification on this, please, Chair.

Clause 7 says that an employer, public sector, will prepare pay equity reports and submit them to the pay equity officer, as per regulations.

So when will the regulations be made available? Will these be yearly reports?

CHAIR: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: Thank you very much.

An important question, the pay equity officer would be part of the Public Service Commission; it would be one of the commissioners. He or she will receive the reports. They'll make sure that they have them available to the House of Assembly. Should this legislation move forward and progress, then we'll start writing those regulations, of course, once legislation is

complete, but we anticipate moving very rapidly.

As you note April 1, 2023, is when this legislation comes into being for the public sector and we'll make sure we have those regulations prepared for that time.

But as you can appreciate we will have a pay equity officer housed within the Public Service Commission, so kind of arm's-length and he or she will be responsible for making sure that those reports are available and making sure that they are available to this House.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Minister.

This also relates to regulations, it is clause 17. It gives Cabinet regulation-making abilities. Will the minister bring the regulations to the House? I think that's what you just stated, I want to –

S. COADY: (Inaudible.)

H. CONWAY OTTENHEIMER: Okay.

I'll ask the question: Will the minister bring the regulations to the House or make draft regulations available for public consultation before implementing them?

CHAIR: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: I will confer with my colleagues on the full draft regulations to the bill. I'm responsible for the public service. In a general sense, the regulations will mirror what the requirements are – will only deal with the requirements of the public sector. So there is a lot of consultation to be had before regulations are required.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Question with regard to the consultation process. We know it's going to start soon. I'd like some idea of the parameters around that, as to when is it going to take place over the next few months. When is it going to come to an end? Some further details other than when it's started and the plans to make sure that as many people as possible engage. But more or less, if this is going to inform legislation, then I'm assuming there's some termination point and that's what I'd like to hear.

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

B. DAVIS: Thank you, Mr. Chair, and I thank the hon. Member for asking me a question, or asking us a question. I think it's an important one.

Any time we have the opportunity to go out for the public, like I've said in our briefing that we did yesterday – was it yesterday, day before yesterday – that over the next few weeks the consultation plan will be released that will include how we're going to do it, who's going to be consulted and the fulsomeness of that consultation. I don't want to prejudice it.

We're going to try to do it as quick and efficiently as we possibly can, but we also want to have the stakeholders involved in the development of this consultation plan as well to ensure that they feel that they've been consulted. Because we've heard from some individuals that they feel like they'd like to be more consulted. And that's absolutely what we want to try to achieve.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Going back to clause 7, I would note that the reports would have to be prepared, but clause 7 does not outline what the process would be if the report demonstrates that the people of

differing genders are not paid in the same ranges.

So what would happen if a report does not demonstrate that pay equity is being achieved? What are the consequences?

CHAIR: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: I will allow the Minister Responsible for Labour to answer that, but should there be an issue of non-compliance, should there be a concern, there is a process that outlines that it would be directed to the director within the department of Labour for evaluation and information.

So I'm going to allow the Minister Responsible for Labour to answer that question because that is kind of the process by which it would go to the department of Labour.

CHAIR: I recognize the Minister Responsible for WorkplaceNL.

B. DAVIS: So the minister is correct, it would go the Labour Standards Division, to the director. The director would then obviously look at the investigation. If he or she – in this case it's a he – needs additional tools, they can also go to the Labour Relations Board, which will allow them to have more of a quasi-judicial relationship which they can actually – I don't want to say the word because I may speak legally incorrectly – subpoena, or at least have opportunities to get the records that they may need and get the actual people into the room to testify.

So I think that's what you were getting at with your question. If that's not correct, let me know and I'll jump up again.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Yes, that does clarify the process.

Clause 9 appoints a commissioner of the Public Service Commission as the pay equity officer. Will this pay equity officer have pay equity added to their existing responsibilities or will a person's sole responsibility be pay equity?

Just want to understand what the Public Service commissioner is going to have on his or her plate.

CHAIR: The hon. the Minister of Finance and President of Treasury Board.

S. COADY: It is the intent at this point in time that it will be an added responsibility to one of the commissioners. That the commissioner will take on the duties of the pay equity officer, make sure that we have received the reports and provide them to the House.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Clause 12 notes – and this is with respect to the pay transparency piece of the legislation – that employers in their public job advertisements must publish the expected pay range for the position.

What prevents an employer from hiring a man at the high end and a woman at the low end of the range?

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

B. DAVIS: Thank you very much, Mr. Chair, and I thank the hon. Member for the question.

The hon. Member raises a good point. I guess from the standpoint is we're saying to the businesses now on a framework basis, this is what we envisioned would come to fruition. What we're doing now on a go-

forward basis, we're going to consult with the business community, as well as labour, as well as the stakeholders, to see how they want this to unfold.

Is it every employer in the province, save none? Maybe it is. Is it every position that needs to be done? Most likely it is. I don't want to prejudge that, and that's what the consultation portion is going to be for, as I said and continue to say, to put the meat around the piece of legislation to make it the strongest that we can. But also understanding that we want to make sure that those individuals have the ability for a path towards pay equity and pay transparency is one of those paths.

CHAIR: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Chair.

I just wanted to comment on the question my colleague asked around the different genders not being paid in the same ranges. Throughout the discussion today, we heard reference to the Job Evaluation System, and of course we know the Job Evaluation System was not without issues. There were complaints, there were appeals and you talk about the four pillars. Underneath those pillars, there are many other factors that are used. It's a relatively time-consuming process for all, when it came in. But again, it was not without complaints and issues, and there are still some on the books.

But in response to the Member for Virginia Waters - Pleasantville to the earlier question on pay equity, why would you not have the pay equity complaints flow within to what's done with the job, or JES program? It seems to be two different bodies dealing with complaints?

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

B. DAVIS: So it may very well. In the current state right now, the piece of

legislation deals with pay equity for the public sector, not the private sector. We're in a pathway to get to there for the private sector. We're not there yet, so that's why pay transparency is where we're going right now at this point. We'll consult on that, with the viewpoint of getting to pay equity in the private sector, which in turn will probably – I don't want to prejudge – but would most likely go to the Labour Standards. That is where all other aspects go from the labour side.

So it would go to that individual. They would have a complaint mechanism. It would be complaint-driven normally, like most pieces of legislation are complaint-driven. The individual would have the opportunity to complain if they are not being treated equitably. Based on what's there, they'll do an investigation. If they do not have the skill set to take that investigation to fruition then they can also refer to the Labour Relations Board to do that further. If someone's not happy with the decision of the director of Labour Standards, they also have the ability to go to the Labour Relations Board themselves.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Thank you.

So, with regard to consultation, I guess I am looking for when do we see this clueing up. Is it before the legislation, in April, or is this for a year, half a year? I do have a few comments, but I'd want to hear the response to that first, please.

CHAIR: The hon. the Minister of Environment and Climate Change.

B. DAVIS: Thank you, Mr. Chair, and I thank the hon. Member for the question.

As I've said before, I can't prejudge how long it will take; we want it to move as quickly as possible. I can't say enough that both ministers that have been on their feet

earlier today talking about that. We're committed to move as fast as we can but we don't want to, as I've said many times before, prejudge what the consultation is going to look like until we actually get the plan in place with respect to the people that are going to be consulted. I think there is potentially going to be a follow-up to that and I look forward to answering that question.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Not a follow-up but a follow-up commentary, because we have had five years to do this consultation and now it we're going to try to cram this in to a certain amount of time, or we're going to delay it because we're going to need to do a proper consultation. That is my concern, that this is not going to be simply a checking of the box, we've done the consultation and we move on from there. Especially since we've had ample time to do that, Chair. Government really hasn't delivered on it; not according to those in those areas.

I do have a question with regard to the workers in this building. I'm thinking of those that do the cleaning on our floor. Certainly they're at a different pay scale – actually, probably poverty wages – but I do know that one of the workers who left and got a job with the public service is making significantly more. I'm curious as to how this legislation will impact them, when you look at doing similar work. A lot of them are women as well, so overall.

Secondly, I'll put a few questions out there. With regard to even those in the gig economy and I'm thinking of the Uber, the delivery drivers and so on and so forth – many of whom may be of marginalized groups, and there are several court cases now in Ontario and I think the other one is in Saskatchewan with regard to whether these people are employees or independent contractors. In other words, I guess the employers are trying to skirt the legislation.

I'm looking at how this legislation is going to help people in this case.

The one question I do have, and I was trying to see if this has been asked by the Member for Topsail - Paradise and – I've got to go to the list here – Harbour Main. In 15(1) "A person who alleges that an employer has contravened this Part may make a complaint" and there are a few examples of that. It's one thing if you have a union in place and you have a mechanism where you can file a grievance, and it's sort of independent or arm's-length, if you will, and even then it's very difficult for a person to take that step and do that. There is the fear of intimidation.

But I'm just thinking in terms of an employee who doesn't have that kind of representation. An open-door policy is only as good as the willingness of the people to walk across the threshold. If there's a sense of intimidation, they'll never get across the threshold which means well, as far as everyone is concerned, everything is hunky-dory.

I guess I'm curious here, if this is going to be proactive – I fear with this complaint-driven process, if you're talking about a person who is vulnerable, who may be working two or three jobs just to make ends meet, they may not be the one that's going to walk across that threshold and to institute it because their very livelihood depends on it. They don't have that.

So I'd be interested in knowing how are we going to deal with this. I realize there's a consultation piece, but there must be some idea of how we're going to deal with these contractual employees, the people who are – even within government, there's a double standard here that we need to address.

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

B. DAVIS: So it's a few questions to unpack there. I'll try to address them. If I miss one

let me know because it's not my intention to miss any.

The similar answer to the question from the Member for Mount Pearl - Southlands. You know, these are private entities. They're going to be picked up in the consultation piece. I really do appreciate the question regarding the vulnerable people. I mean, obviously, that's something that we're trying to address here. They don't have a voice now, currently. We're trying to give them a voice so they have the ability to come forward. We understand that's not easy. We want to make it as easy as possible for them to do so.

But also by shining a light on the pay equity, pay transparency piece of the legislation businesses are coming out of the darkness on some of this as well, which is going to force them to be a little bit more – the ones that are not, because there are many out there that are paying well and there are many people that treat every employee based on the position, not the person, which is what we all want each employer to do. There are some that are not. Hopefully, this legislation, being a labour standard as the minimum, is going to be improved on over time and that consultation is going to be key to ensuring that happens.

I do appreciate where the Member is coming from with the vulnerable individuals. It's hard for them. We see it in our constituency offices. Anyone that has a constituency office here in St. John's that would have it in the building here, it's hard for constituents to want to come to the big government building to visit us as MHAs. So that's a challenge that we face every day.

I know that may not be the similar challenge that some of our rural counterparts face because the building is more in their community. This building is only in one community but everyone in St. John's, in that area – Mount Pearl included and others – have their constituency office here.

So it's not falling on deaf ears, your concern, we will bring that forward for sure. If there's any opportunity that we can work with you and everybody else to try to make those vulnerable people feel more comfortable to try to be able to come forward to the director of Labour Standards, the Labour Relations Board, anything we can do with that, we're going to try our best to do that.

Thank you.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Chair.

Clause 13, that's about the pay transparency report and I just would like to note that in that section it says that an employer or class of employers prescribed in the regulations will have to prepare this, the paid transparency report.

I'm wondering which employers or classes of employers will be governed by this? Also what's the difference in pay equity and a pay transparency report?

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

B. DAVIS: Thank you, Mr. Chair, and I thank the hon. Member for the question.

Obviously, with respect to section 13, that's going to be something that will be uncovered through the consultation period: how much, what size of the business, which businesses have to bring forward their reports, how often they have to come forward with it. Because it could be a yearly report that comes forward, it could be every three years; it could be every five years depending on what we uncover throughout the consultation with all the stakeholders involved. I think that's the best way to answer that piece, with respect to that.

Obviously, pay transparency is the pathway to pay equity. We think that pay equity is where we all want to be. We all want to be there. I think on the overall, everyone in the public wants to be there, too, the employees, the employers, the labour unions. Everyone wants to get there. We all may have different ways of how we're going to get there and varying degrees of whether we're already there or not, in some people's mind.

What we're trying to do is create that framework that when we consult on it, it's going to put some more substance to that so that the people that need to be doing it, i.e. the businesses, depending on size, would have to put those reports in on a period basis. Whatever that period is, it could be every year, it could be every month or every six months, it could be whatever.

But we're trying not to be as onerous as we can on the employers to make it a sensible, easy process for them to do so people can comply with it. That's the important piece, so that not only the businesses can comply, or the employers can comply, but also the employees get what needs to be done in this to reach that equity that's coming forward that we're all trying to strive to get.

I hope that at least answers your questions.

CHAIR: Order, please!

I'm recognizing the hon. the Deputy Premier.

S. COADY: Thank you.

Just a short while ago, the Member for Harbour Main asked a question about 6(2), and I just want to make sure I respond to that before it gets lost.

That is similar to the Nova Scotia, as well as the Ontario legislation to allow flexibilities. It's basically to allow flexibilities to ensure that if there's something appropriate to exempt in unforeseen class or employees in

the future. So it's based on similar legislation in other jurisdictions to allow some legal flexibility as we move forward with the legislation.

CHAIR: The Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you, Chair.

I also asked if there was an example. Do we have an example that we can go by that would just help illustrate the clause?

CHAIR: The hon. the Deputy Premier.

S. COADY: That's why I've taken a few moments because I've been asking has it ever been used, like what kind of examples? There's no real example except if they're winding up something and they need to exempt something, they just need to have that flexibility so that they capture it under the act. There's no example that I can find of usage, but they just want to, from a legal perspective, have that blanket coverage.

CHAIR: The Member for Harbour Main.

H. CONWAY OTTENHEIMER: Clause 15 talks about the fact that complaints can be made. However, private sector employers have a requirement to be transparent, not a requirement of pay equity.

Can individuals make complaints if they feel they are not being paid the same rate as someone of a different gender?

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

B. DAVIS: Thank you, Mr. Chair, and I thank the hon. Member for the question. It is a very good one.

Currently, in the system that we exist in right now people who feel that they are being ill treated, have the Human Rights Commission as a starting point. This just

adds an extra opportunity for them to complain or put a complaint mechanism in place to the director of Labour Standards with respect to our shop. Further to that, they have the ability also to go to the Labour Relations Board if they are not happy with the outcome for that.

I thank the hon. Member for doing some juggling over there in the corner to entertain me, I guess.

Thank you.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Thank you.

So really when we look at the human rights process, that's a complaint-driven process where the onus is on the individual worker to identify and fight pay equity. So this is the same kind of thing, though. It is still a complaint-driven process where the onus remains on the individual worker, correct?

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

B. DAVIS: Thank you, Mr. Chair.

The answer, I guess, is to say yes and no. Yes, that's generally what would be thought, it is complaint-driven, like most pieces of legislation. Unless we know it, we can't enforce it. So if someone is not performing their duty that's a legislative requirement, you can't really do that unless you know that they're not performing what they're supposed to be doing.

So I guess you're correct in that space, but when we bring forward legislation like this through the consultation process, when we put that framework and put more meat around it, it's going to come and shed more things. So the business community will have to, as you highlighted earlier, put pay ranges in their advertisements for job openings. That would be something that

would shed light on what the composition of the workforce is. They'll have an opportunity to supply reports on pay transparency.

I can't say how that would look yet, because we haven't done the consultation on what's going to be included in those reports, how fulsome those reports are going to be. But from our standpoint, we want them to be as clear and as open as they possibly can be so that the individual, as we've talked about, the one that is the most marginalized, gets the ability to get as close to pay equity as we can, knowing that reducing the gender wage gap is an important piece and we all strive to do that. It's not going to happen overnight and it's going to take all of us, for sure.

CHAIR: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: One concern, of course, with that is where you have a complaint-based process, we're putting perhaps a terrible burden on an individual worker to identify and fight pay equity themselves within the workplace. Often people don't even know if they're being paid fairly or consistently for work of equal value.

So, hopefully, when the consultations are done, that will become evident and the responsibility and burden will hopefully shift away from the individual which will provide them a fairer process and fairer legislation with respect to pay equity.

My final question, Chair, is clause 20, which notes that the provisions relating to the public sector pay equity come into force before those related to the pay transparency private sector. I think that the Minister Responsible for Labour had referenced that earlier, but I just want to get clarification as to why that's the case.

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

B. DAVIS: Thank you, Mr. Chair.

I think, if I understand the question correctly, it's why is one section of the act coming into force before the other section. Okay, fair enough, and I think we've highlighted a couple of reasons why, but I think the biggest reason is obviously the consultation is going to take place for the pay transparency with respect to the public sector. We want to make sure that's taken into account. Obviously that will be done prior to it becoming ratified or proclaimed by LGIC; that's an important piece.

We want to make sure that's fulsome. We want to make sure that'll put in place, as I've said many, many times – and I hate repeating myself – the meat around the bone that's required to make this legislation the best it possibly can, and bearing in mind that it's going to be reflective of those stakeholders that we all represent here in this House.

I think that's the key that we want to ensure. The hon. MHA for St. John's Centre had mentioned that we want to deal with the most vulnerable, want to ensure that it's a fulsome consultation. We may disagree on the timing of the consultations but I think we all agree the consultations are important. So that's why we're going to make sure we can do that as fast and as efficiently as we possibly can, bearing in mind we want to make sure we hit as many of those stakeholders as we can.

Thank you very much for the questions today.

CHAIR: The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Mr. Chair.

Just sort of going on down the track I did earlier, as it relates to home care agencies or different entities receiving government funding, similar to that, would there be any intention now at some point when we're

putting out contracts and tenders and so on – whether it be the provincial government or whether it be NL Hydro, as an example, or whatever the case might be, would we be looking to implement a process – like, for example, I know when you hire companies, a lot of times they're contracted out. Some of the conditions would be in order to bid on this work you must be OHS compliant, you must provide proof that you have coverage of workers' compensation and so on.

So would we be looking at going down a road, at some point here, where this standard must apply to your company, if you want to do work with the Province of Newfoundland and Labrador, then we insist that you be gender compliant, if you will, of pay equity?

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

B. DAVIS: Thank you, Mr. Chair, and I thank the hon. Member for a very good question.

Actually, it is a very good question. Absolutely, that's what we would like to envision in the future. That's not something we're to today because the consultation hasn't been fully completed. But when we finish that consultation, that may be one of the amendments that I've talked to many times that there would be coming forward to bills.

When we see a need, whether it be the *Highway Traffic Act*, or in this case, the pay equity legislation, that would come forward if we need to make a change to reflect that on a go-forward basis, I think that's an important piece. Before we had OHS requirements that weren't in the public tender act. It is now and I can see this moving in that direction. I don't want to prejudge that, but I'm sure that in the future it will get there. It's a very good question. I think that's going to be something that will spark some conversation for sure.

CHAIR: The Member for Mount Pearl - Southlands.

P. LANE: Thank you, Minister.

Just wondering, Minister, as well – and I sort of raised this to some degree in the second reading as well. A lot of the people that we talked about, and a lot of these jobs, which are female dominated, are people in retail, service sector and so on have traditionally been female dominated. I'm not sure where the numbers are exactly these days, but it certainly was and still has a lot of females working there to this day.

I guess if we're trying to improve their lot in life – it's not really related to this legislation, but I just want to throw it out there: the *Labour Standards Act*. Because I hear from people – and I'll just use this example again. I've used it in the House before. Someone who is working for one of these big box stores and they say your shift is at 9. And you're only working for four hours by the way. Then you have to go home and come back again at 6 this evening until 10, so there's a split shift. They come in at 9 and, at 11, they say we're not that busy now; go home out of it.

So they made the effort to come to work and they're only getting two hours pay. Now they're going home for the next two hours without pay, because they're not paying them for not being there, but we don't need you now. By the same token, they come in and they're supposed to get off at 4 – oh, well, we're busy now; you can't leave. Despite the fact that they have lives and families and everything else, you're being forced to stay.

So what it comes down to, in my mind, is abuse by certain employers – abuse of employees. So whether it be issues around split shifts, whether it be this whole concept of overtime being time-and-a-half minimum wage versus time-and-a-half whatever your regular wage is and other aspects, at some point are we going to be reviewing the

Labour Standards Act to see if we can improve some of these situations. Because while it may not be pay equity, I think we're going to be helping a lot of the same people and a lot of these people are female.

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

B. DAVIS: Thank you, Mr. Chair, and I thank the hon. Member for the question.

It goes without saying that, obviously, there are opportunities; one piece of legislation don't fix all for everybody, that's for sure. I know everybody in this House understands that.

I know the Minister Responsible for Women and Gender Equality speaks to it all the time about the basket of things that we're trying to do to help people either enter the workforce, break down barriers, which is really important. Those things are things that we continue to do.

Obviously, the raising of the minimum wage to \$15 is not fast enough for some groups, I know. We took the recommendations of the Minimum Wage Review Committee. That's one aspect; this piece of legislation here to shine light on pay transparency; and also making sure we legislate what actually is happening for a large part in the public sector. Those are things that are going to help with the process.

By no stretch am I going to stand here and say this is going to fix all the ills that are out there because it's not going to do that. I think all of us have said that right up from the start that this is just a movement in the right direction. There are still far many movements to move.

CHAIR: Thank you.

The Member for Mount Pearl - Southlands.

P. LANE: Thank you, Mr. Chair.

This is my final one and this is just a comment more than a question and then I'll be done. Mr. Chair, I've listened intently to debate in second reading and certainly through the Committee of the Whole. I'm going to support the legislation I will say that. I can't speak for everybody over here but I'm going to support the bill because I do believe that pay equity is important. I do believe that this is a step.

I think where we differ – and sometimes it can get caught up and we can have this argument back and forth and we can say oh, you're playing politics or whatever. I can't speak for everyone else but I'm not trying to rain on anybody's parade over there; I'm really not. I understand that enshrining this in legislation is the right thing to do. I understand that it could and should have been done years ago and it didn't happen. But this administration is doing that. I got to give credit for the fact they're actually doing it and I'm not knocking that.

But I think where we have concern, or where we get into the disagreement, at least from what I've witnessed and so on, and my feeling on it, is that I just think that there was a sense of – not that what is being done here is a bad thing, not that it doesn't need to be done, but the fact is that a lot of this in this bill, when it comes to pay equity in government, which is basically the pay equity piece right now is restricted to the public service.

I know there's another piece here about pay transparency and that's a good thing in itself, but when it comes to pay equity we're talking about government. To the minister's point, 85 per cent of the public service is doing this now, anyway. It's been done over the last number of years so it's nothing new.

Now, it's new in the fact that we're going to say we have a piece of legislation that you have to do it, but we were already doing it. So for anyone who expected that this is some big announcement and something new was going to happen, something

exciting was going to happen, I think the definition of new and exciting may be where we get sort of lost.

Now, the fact that there are 15 per cent of the people in management positions that we will now apply the fourth pillar, right? That's a good thing. I applaud that initiative. The fact that we're going to go to ABCs and, again, some of them are already doing it, to certain degrees, but anywhere where they're not doing it, we're going to make sure they're doing it. That is cause for acknowledgement and to say we're moving in the right direction.

But beyond that we're enshrining what we're already doing into legislation. I'm not knocking it and I'm going to support it, but I think that's where some people on this side, some more than others are more passionate than others, over the fact that they were expecting a lot more, I think.

We know that consultation is important for any legislation that's passed. I think that one of the concerns that I have, and all Members have expressed to some varying degrees, is the fact that it's basically been acknowledged that there was no real consultation on this act.

Now, the minister said that if I had a meeting with the Board of Trade about some subject, somewhere in the conversation we said – I don't know how it went: B'ys we're bring in pay equity. Okay, that's great, sounds good. Is that consultation? I'm not saying that's how it went. It might have been an exchange for 30 seconds about we're planning on doing it. Okay, that's good. We'd be on board to be involved with that.

That's not really consultation. It might make some people aware but it's not – and while I appreciate we're going to do consultation on the regulations, which is really the meat on the bones, as the minister says, I agree with that. But the bones themselves, I guess, to put the meat on, those bones did not

necessarily go through what many people might think would be the appropriate consultation because any regulations that get written have to be derived from direction given under the act. So if there are things that are left out of the act, then you can't write regulations around them because they're not there to begin with.

So if there was a critical piece in this legislation that got left out for some reason or whatever the case might be, you can do all the consultations you want on the regulations, the regulations can only be derived from what ability is given here in the act.

I think that's the concern, that maybe there are some things that could have been in the act, that could have strengthened the act, that would have consequentially improved the regulations that may have been left out.

I understand that concern; I share that concern, but with that said, prior to today or yesterday, when it was introduced, we had no pay equity legislation, we had nothing. Now we have something and we can always improve it as time goes on. We can always improve it; we can always strengthen it.

Someone who was very passionate about pay equity, as I know my former colleague from St. John's Centre was for sure; nobody could deny her passion, I could tell you that. And the current Member is equally as passionate, I know. So I can understand why they would be disappointed and they would say had we started five years ago on all the consultations and everything else, then we would have come in here today and we would have had a comprehensive piece of legislation. We would have made sure it had proper consultation, nothing left out, and there would already be draft regulations in place; whereby, at the very least, we could say if we had a comment about this, the minister would stand up and say, yes, we contemplated that, that's in the regulations. We contemplated that, that's in the regulations. Good point, I might amend

the regulations. But we're talking about we don't even know what the regulations are because there are no regulations at all; we've done no consultations.

In that sense, it kind of feels like – and again, not trying to rain on anyone's parade – but it kind of feels like there was an urgency for some reason, whether it be public pressure or whatever, there was this urgency to get it out there as a piece of good news that we're putting in the pay equity that people are calling for, but we're not truly ready to have it brought out, maybe it should have been done later.

I am not knocking the fact that it's here. I'm really not, but that's the sense that you get on this side. I'm not saying it to be political or whatever. Like, I can't have your job. If I wanted it, I can't have it. I'm an independent Member so it's not about – if you're not in government, they're in government. It makes no difference to me. I'm just telling you that's the sense, I think. That's the feeling. It feels like it was just: B'ys, we've got to get something out on pay equity, get it out there, get it in the House so we can say we've done something. That's the feeling. Now, I don't know if that's true or if it's not. That's the feeling.

With all that said, it is a start and I will vote for it.

Thank you.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: A quick question with regards to those in the service industry who are predominantly women in terms of their wage and tips. We have had people come to us and they don't want to pursue it, but their tips are being factored into the pay that they receive.

So I am just wondering here, and like I said they don't want this made public because they're concerned that somehow their job will be in jeopardy. I'm just wondering does

this legislation or will this legislation contemplate that kind of – for lack of a better word – abuse?

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

B. DAVIS: Thank you, Mr. Chair.

A very good question. I didn't contemplate the way you just put it out. I would assume that Revenue Canada would receive statements on what people receive in tips. If an employer is garnishing some of that, that's something that people should bring forward. I understand that's a challenge for some people to do that, whether it be through the Human Rights Commission or through the Labour Standards Office, please feel free.

Maybe there's some opportunity for some anonymity there where they can come forward through you – and I offer that at this point – come forward to my office. I'll find out what the opportunities are for them on a go-forward basis through our Labour Standards Division to see if there's anything we can do that could keep their anonymity there, that maybe we could work on together. I honestly do mean that. Please feel free to reach out.

CHAIR: Thank you.

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 20 inclusive.

CHAIR: Shall clauses 2 through 20 inclusive carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 20 carried.

CLERK: Be it enacted by the Lieutenant Governor and House of Assembly in Legislative Session convened, as follows.

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clauses carried.

CLERK: An Act Respecting Pay Equity for the Public Sector and Pay Transparency for the Public and Private Sectors.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report the bill without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

Motion, that the Committee report having passed the bill without amendment, carried.

CHAIR: The hon. the Government House Leader.

S. CROCKER: Thank you very much, Mr. Chair.

I move that the Committee rise and report Bill 3.

CHAIR: The motion is that the Committee rise and report Bill 3.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

AN HON. MEMBER: Division.

CHAIR: Division has been called.

Division

CHAIR: Are the House Leaders ready?

Those in favour of the motion, please rise.

CLERK (Hawley George): Steve Crocker, John Haggie, Gerry Byrne, Bernard Davis, Siobhan Coady, Pam Parsons, Elvis Loveless, Krista Lynn Howell, Andrew Parsons, John Hogan, Sarah Stoodley, Derrick Bragg, John Abbott, Paul Pike, Sherry Gambin-Walsh, Scott Reid, Lucy Stoyles, Barry Petten, Helen Conway Ottenheimer, Paul Dinn, Jeff Dwyer, Pleaman Forsey, Loyola O'Driscoll, Craig Pardy, Joedy Wall, Chris Tibbs, Eddie Joyce, Paul Lane.

CHAIR: Those against the motion, please rise.

CLERK: James Dinn, Jordan Brown, Lela Evans.

CHAIR: The motion is carried.

The hon. the Government House Leader.

S. CROCKER: Thank you very much, Mr. Chair.

I move that the Committee rise and report Bill 3.

CHAIR: The motion is that the Committee rise and report Bill 3.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, that the Committee rise, report progress and ask leave to sit again, the Speaker returned to the Chair.

SPEAKER (Bennett): Order, please!

The hon. the Member for Baie Verte - Green Bay and Chair of the Committee of the Whole.

B. WARR: Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 3 without amendment.

SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and directed to report Bill 3 without amendment.

When shall the bill be received?

S. CROCKER: Now.

SPEAKER: Now.

When shall the bill be read a third time?

S. CROCKER: Tomorrow.

SPEAKER: Tomorrow.

On motion, report received and adopted. Bill ordered read a third time on tomorrow.

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you very much, Mr. Speaker.

I move, seconded by the Minister of Finance, that this House do now adjourn.

SPEAKER: Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

This House do stand adjourned until 10 a.m. tomorrow.

On motion, the House at its rising adjourned until tomorrow, Wednesday, at 10 a.m.