

## **SCHOOL BOARDS COLLECTIVE BARGAINING ACT, 2013**

Resuming the debate adjourned on November 25, 2013, on the motion for second reading of the following bill:

Bill 122, An Act respecting collective bargaining in Ontario's school system.

**The Speaker (Hon. Dave Levac):** Further debate?

**Ms. Sylvia Jones:** I'm honoured to rise this morning, on behalf of the residents of Dufferin–Caledon, to discuss the bill before us. This morning we'll be debating Bill 122, the School Boards Collective Bargaining Act.

This bill was introduced last month by the Minister of Education and deals with the collective bargaining process in the education sector. In essence, what Bill 122 sets out to do is formalize the collective bargaining process in a way that gives the provincial government a direct role in collective bargaining rounds.

What we're not doing this morning, which I wish we were, is discussing jobs and the economy, but I suppose I shouldn't be surprised.

After all, the provincial government does foot the cost of the education sector, an investment which exceeds \$20 billion, so, certainly, it would make sense for the provincial government to have a formal say in the collective bargaining process.

For the sake of perspective, however, I think it is helpful to consider how the current government has been approaching the collective bargaining process thus far. Previously, during the 2005 and 2008 rounds of collective bargaining in the education sector, the provincial government established a voluntary framework, in discussions with school boards and teacher federations. Under this model, you basically had the provincial government set the tone, set the goals, for negotiating, and then individual boards negotiated with their local union chapters. This, of course, changed in the latest round of bargaining, and in that case, we saw the provincial government attempt to negotiate a memorandum of understanding directly with the unions. Ultimately, we know how that process ended up, and it wasn't great.

So from a process perspective, Bill 122 may be onto something. I say this because Bill 122 is rooted in the concept that the provincial government ought to have a recognized role in the negotiation of collective agreements in the education sector. That being said, I do have some concerns with the new structure being proposed under Bill 122.

What Bill 122 proposes to do is to create a two-tier collective bargaining process in the education sector, with legally defined roles for the province, trustees, associations and unions. The collective bargaining process will effectively be divided into central and local issues, with negotiation over central issues happening with the provincial government involved, and negotiation over local issues happening at the local level with local school boards.

Central issues are defined as issues with a province-wide impact or those that could result in a significant impact on the implementation of government policy. A final qualifier for a central issue is if it could result in a significant cost for one or more school boards. Issues of this nature would be discussed at the central negotiating table, where the provincial government and school board representatives would be on one side and teacher federations or unions on the other.

All other issues would continue to be bargained by local school boards with local employee representatives. Any local issues could be negotiated concurrently with the central bargaining process.

Finally, when both tiers were finished negotiating, the provisions of a central agreement combined with the locally negotiated provisions would make up the final collective agreement. Also, a central settlement would only be finalized if all three parties—the provincial government, the trustee associations and the unions—all agree to the centrally negotiated terms.

That is the summary of a process Bill 122 aims to implement if it's enacted.

Now, I can't help but comment, Speaker, that while Bill 122 may have some merits, as I've stated, the bottom line is that it is still a relatively modest process bill. What I mean is that we've got some legitimate issues both in the education sector and in other areas across Ontario as well, particularly relating to jobs and the economy, yet this Liberal government seems perpetually stalled in a mundane process-type of initiative. One only needs to consider the fact that this government has struck 37 panels to study any number of topics before the government. Talk about undue process. It really is quite shocking: 37 panels, 26 ministers, one Premier, and not even a glimmer of a credible jobs plan between all of them.

Regarding the education sector specifically, though, I want to touch on a topic that I am particularly interested in. I think this is a particularly unique topic, because it demonstrates how legislation like Bill 122, while fine enough, really does miss the mark on some of the more important and pressing issues. The issue I'm referring to is the standard practice of retired teachers being able to come back and serve as occasional teachers in their area. This practice in general is problematic, I believe. If a teacher, who may have been teaching for 25 or 30 years, decides to retire, why then are they allowed to both collect their retirement benefits and at the same time teach occasionally? The reason this is so problematic is because the occasional-teacher pool, if I may call it that, is really the primary route for a full-time job for all of our young teaching professionals. I am not by any means saying we should be forcing teachers to retire. But what I am saying is that when a teacher has made the decision to retire, I think they should retire and not go back to occasional teaching. This is because when they do, they, of course, take an occasional-teaching opportunity away from a new teacher.

With relation to Bill 122, this is perhaps an issue that could be negotiated at the central bargaining table under the new system; I'm not entirely sure. But the point is, with thousands of young, aspirational professionals who are graduating every year and eager to get in the classroom and teach our students, they need that experience and they need to do their time and learn their trade, so to speak. But when you have really just one avenue for them to take and it is also open to teachers who have their entire careers behind them, I think there is an equity

problem here, particularly, as I mentioned earlier, when you consider that there always seems to be this focus on seniority-based systems like regulation 274, as opposed to merit-based systems in this field. We could very well have an incredible young person who is an amazing teacher, and yet they aren't getting their chance because you have retired teachers filling the occasional-teaching opportunities in their communities. There we have an example of a potential initiative that could lead to more job creation in Ontario for our young people, yet would I ever expect to see such an initiative from this Liberal government? The answer is no, not really.

This government has fumbled the ball so many times, has missed the mark so badly on the economy, that I honestly don't know if expectations could be any lower for the Liberal government, and that is quite sad.

You see, the reason the answer is no, Speaker, is because our leader, Tim Hudak, met with the Premier and proposed a compromise on a number of bills before the Legislature so that we could address the job crisis in Ontario and the Premier agreed. Our leader said, "Let's clear the decks, let's agree on what we agree on, pass the bills and focus on the economy," and the Premier agreed. Yet here we are two months later: Nothing; no jobs plan, no credible progress on the economy. If anything, things have gotten worse.

You would think, considering the Premier's agreement with my leader, Tim Hudak, that jobs must be the priority, that you'd see a focus on job-creating legislation. You would think that in any area of government, the number one question that the Premier and her ministers would be asking is, "Will this help job creation or hurt job creation?" That's what it's all about, or at least that's what it should be all about. In fact, the only thing the Liberal government points out as their jobs plan is a bill that actually raises taxes for the very types of companies that are closing their doors across Ontario. The lack of awareness is shocking.

So here we are today, debating Bill 122, yet another process-related piece of legislation, in which the Liberals have decided to basically focus on how they can influence future labour agreements. A worthy goal? Sure. But a government's number one priority at a time when thousands of manufacturing jobs are being lost across the province? I think not.

When we are faced with a job crisis of the magnitude that is currently before Ontario, how can the government possibly justify putting job creation on the back burner and focusing on legislation like Bill 122? Bill 122 sets out to tweak the collective bargaining process in the education sector, while what the government could have focused on is the issues of retirees using precious occasional-teaching slots, that I mentioned earlier as an example. Maybe then we could help job creation by helping our young graduates and future teachers get the experience they need so that they can get full-time positions and begin to build a life for themselves.

Ultimately, Bill 122 does seem like a fair initiative, if only to ensure that future governments actually interested in doing something other than having conversations can influence future agreements.

That being said, there are many more pressing issues this government should be focused on, and the first one among them is creating jobs in the province of Ontario.

**The Acting Speaker (Mrs. Julia Munro):** Comments and questions?

**Ms. Catherine Fife:** It's a pleasure to comment on the member from Dufferin–Caledon's 10-minute hit on Bill 122, although I just can't help but reflect on what happened in this place yesterday, when the PC caucus called for unanimous consent to adjourn the debate on 122, and the Liberals, all afternoon, said, "We've had enough debate on 122." Yet, after a half-hour of bells, the Liberals and the PCs came into this place and voted down their own motion and then voted to extend the debate, and so here we are.

It is a process bill; the member from Dufferin–Caledon is absolutely right. But there's definitely a whole new level of games going on in this House, which actually adds to the cynicism of politics in the province of Ontario, which we all must accept responsibility for.

Bill 122 will provide some clarity around negotiations and collective bargaining going forward. I mean, that's the goal of this piece of legislation. It's needed because there was a huge breach of trust when 115 was imposed on the entire education sector in the fall of 2012. The peace-and-stability piece that I think we're not talking about, which lends itself to the kinds of conversations or initiatives that the member from Dufferin–Caledon wants to put on the front burner, which is an education system which meets the 21st-century needs of students in Ontario—peace and stability matters. Because we lost trust in the collective bargaining process in the fall of 2012, under Bill 115—which both parties participated in—we need 122.

We want to get this to committee. We want to make it better. We want to make it stronger, and we want to bring some clarity to it. So we look forward to that happening.

**The Acting Speaker (Mrs. Julia Munro):** The Attorney General.

**Hon. John Gerretsen:** Let me get this straight: The Tories are in favour of this bill; the NDP is in favour of the bill; the government obviously is, because we introduced the bill. Everybody thinks it's a good idea. So why have 50 members spoken on a bill that we all agree to? Why are the opposition filibustering this? Let's get the bill to committee.

**Mr. John Yakabuski:** I have not; I want an opportunity.

**Hon. John Gerretsen:** Yes, you want an opportunity. Sure, I'm all in favour of free and open democratic debate. But, you know, enough is enough. We all agree on this bill. Let's get it to committee. Let's get the work done. We all agree with this. Stop your filibustering. Let's get down to work for the people of Ontario, which you're not doing right now with your filibustering.

**The Acting Speaker (Mrs. Julia Munro):** Further comments and questions?

**Mr. John O'Toole:** I'm surprised by the feigned outrage by the Attorney General. A man of his experience should know that democracy is the right to speak. That's what he's trying to deny the members of the Conservative Party: the right to stand up for their constituents.

More importantly, the real issue here this morning should be about the jobs plan. That's what we're so upset about. This government is literally getting away with murder in terms of the lack of attention to the economy and jobs in Ontario, and the member from Dufferin–Caledon said it very, very well.

Everyone here believes education is the greatest gift that our children should have access to, and we certainly would say that for sure.

My wife is a retired teacher, and now she's a school trustee. The reason she's a school trustee is because she couldn't justify supply teaching. We had two daughters-in-law, both of whom had teaching degrees—a master's degree, I think—with no job. So my wife went on and became a school trustee. She's probably chair of special ed because that's what she was very involved in.

My daughter was a high school teacher as well. She was so frustrated with the system that she's now a teacher in London, England. In fact, she's a department head, I think in science or humanities or something like that.

**Hon. John Gerretsen:** You should be proud of it.

**Mr. John O'Toole:** I am, but this system that exists today disappointed her.

Even more importantly, it comes down to, this is still part of the jobs and the economy plan. It's people without jobs and jobs without people. It means the educational system isn't producing the right people with the right skills for the economy we currently have.

Bill 122 is really a governance bill that centralizes negotiation and eliminates the real function of the school boards. I think there's a lot of agreement with that.

**Hon. John Gerretsen:** Then your wife would be out of a job.

**Mr. John O'Toole:** My wife would be happy to be out of a job, I'm sure.

Thank you very much for the opportunity.

**The Acting Speaker (Mrs. Julia Munro):** Further comments?

**Ms. Cindy Forster:** I want to maybe provide some more clarity to the member from Kitchener–Waterloo's last comments.

We have the Liberal government saying, "Let's get on with this." We've had about 12 or 13 hours of debate on this issue. We've got the Tories saying, "This is democracy, and we have the right to debate the issue." All the while, they're adjourning debate and ringing bells. Then they get up and vote against their own motion to adjourn debate, and you guys actually vote with them, when you actually could have adjourned debate and ended it yesterday—and all about this process bill that—I don't even know why this bill is here, to tell you the truth.

I don't know why the government couldn't just have sat down and negotiated terms and conditions for central bargaining with the unions. There are other sectors in this province where people sit down across the table from each other. They negotiate a process, and they get on with life, and they move into that central negotiation process.

Democracy is great. We all have the opportunity to stand up here and talk, but if we really want to talk about the issues, I don't know why we continue to adjourn the debate or try to adjourn the House. It certainly isn't in the best interests of any of us to do that.

I have to tell you, last week when they were having that reception here for, I think, the fallen firefighters, it was quite disturbing to have their reception interrupted for the first 30 minutes because we had the people on our right here ringing the bells. I think you need to think about that and what's going on here in the House when you actually move into that process.

**The Acting Speaker (Mrs. Julia Munro):** The member for Dufferin–Caledon has two minutes to respond.

**Ms. Sylvia Jones:** To the Attorney General: It is my job to represent the views of my constituents in Dufferin–Caledon. I'm proud to stand up and debate this legislation. I'd like to have been talking about jobs and the economy, but this is what has been brought before us; this is what the Liberal House leader has chosen for us to debate this morning, and I will do that proudly.

To the NDP: I don't need any lectures from the NDP about loss of trust. The one and only time they have ever been in government, they ripped up thousands of agreements. It was called the social contract. So please don't tell me about loss of trust. When you guys were in government—you remember the social contract? You were the ones who ripped up thousands and thousands of contracts. You lost the faith of your members; you lost the faith of Ontarians. Don't lecture me about loss of trust, please. You don't have any credibility on the issue.

You want to talk about jobs and economy? Bring forward some legislation that will actually improve the lives of young people in Ontario, instead of these minor-process pieces of legislation that, quite frankly, the only reason we're doing is because you messed it up the last time when you brought forward the education bill. You could have helped that. You could have solved that at the committee level. You didn't do it. You missed it and now we have to go through an entire legislative process. I'm sorry that you messed up, but I'm not going to give you a free ride on it. You want to talk about jobs and the economy? We'd be happy to discuss those pieces of important legislation. Thank you.

**The Acting Speaker (Mrs. Julia Munro):** Further debate?

**Ms. Laurie Scott:** Thank you, Madam Speaker. I'm pleased to join the debate here today. We should have healthy debate on these topics—not like the Liberals, who don't seem to want to have to debate, and I guess the third party is not going to join in the debate on Bill 122 today either, the School Boards Collective Bargaining Act.

This bill will provide clarity, greater clarity anyway, for the different parties that are involved in collective bargaining in the education sector. It's a good thing that there is an intention to establish this clear framework for collective bargaining in the education sector. We certainly all remember what's gone on in the past year and a half. But by having a two-tier collective bargaining process with legally defined roles for the province, the trustee association—the member from Durham mentioned that his wife is on the trustee association—and unions, students will hopefully not have to suffer through that great debacle like the one that took place in the last rounds of negotiations under Dalton McGuinty.

I want what is best for our children in Ontario. I want to have kids who go to elementary and high schools every day in the province—I want them to feel comfortable that they're getting the best possible education and environment that is conducive to their needs. I want parents across this province to not have to worry about what might happen to the school year when another round of bargaining is under way between the school boards and unions. I don't want parents to have to worry about whether or not they'll be able to participate in their favourite sport in the fall. You know, in Coboconk, at Ridgewood Public School in my riding of Haliburton–Kawartha Lakes–Brock, the parents went out and did a Burma Shave on the side of the road, they were so frustrated that the teachers would not bring extracurricular activities back into that school and their children were suffering. I don't blame them for being at the end of their rope in frustration. Good for them for taking that on.

Ontario universities do have the ability to give out some athletic scholarship money, so it would not be fair to limit the athletic abilities of those who have a chance to receive financial assistance due to athletic merit, which starts in public school and goes into high school. I also don't want those who have worked hard in any other extracurricular activity to have to worry about whether or not they will be able to fulfill their wishes of doing so.

Just as important, some students who may require a letter of certification or a signature from a teacher to assist in obtaining that scholarship money might not receive them, as happened in 2012—very devastating for lots of families in that area. There are stories of students who needed to have these types of letters in order to receive financial compensation to ease the burden of the increasing tuition fees across Ontario universities. At that point in 2012, teachers wouldn't produce the letters, once the unions had advised for there to be no extracurricular activities supervised by teachers. It was a tragedy that parents still tell me about every day back in the riding.

This is the road that I don't want our students to go down again. It's not fair to our children. I'm hoping that this legislation will prevent such actions from ever occurring again.

But while this bill does address the importance of establishing the two-tiered system for collective bargaining, it fails to address some of the more important issues that the education system is dealing with currently. I know that it has been spoken about many times in the Legislature. My colleague from Cambridge brought in a motion to amend regulation 274. This regulation must be amended so we can hire the best and brightest that our province has to offer with respect to teachers. Your Liberal government snuck in this regulation back when they introduced Bill 115. Why anyone would think that only hiring based on seniority instead of merit

is a good thing is beyond me and beyond many people across Ontario. The parents are talking about that in my riding—and also the young teachers that can't get jobs even though they are incredibly qualified, talented and fit in to the certain schools that they need to be in.

This is a government that has a commitment to restore their relationship with their partners in education and has recently claimed to have taken steps to help 1,500 young people in Ontario find jobs. That's a very interesting number, Madam Speaker, because I have some alarming numbers that prove that this government is not helping our young people get jobs in this province. It also means that our children are missing out on some of the brightest and most innovative minds that Canada has to offer. The unemployment rate for new teachers was recently pegged at 37%. That's over a third of our recent teachers' college grads that can't find any work in Ontario. Not surprisingly, I think it's about 200 applicants for every position that opens up in my area.

Recent promises have potentially hurt young teachers in some of our biggest school boards. If retiring teachers do not decide to leave after November 30, they are to receive a \$5,000 incentive. Why would this government allow a date so far into the school year? This hurts young teachers in Ontario. Instead of knowing by the time the first term starts in September, young teachers in Ontario have been left wondering if there is a chance they can get hired. This is odd timing, especially since many young teachers need to have the time to develop relationships with students right from the start of the semester. Having a new teacher start midway through a school year disrupts the classroom, and a different teaching style may not be the best for some students.

Recent numbers also indicate that while it's hard for young people to find teaching jobs now, many are being discouraged to apply even to become a teacher. The University of Windsor, for example, over the past decade has seen a 75% decrease in teachers' college applications. It's a significant drop of applications for that university. Our young people are hearing too much about the doom and gloom of trying to find a position in Ontario. So we're educating them and—I don't blame them—they go to other countries. Part of the Liberal jobs plan is we're educating our young people for the US or Korea; there are lots of young teachers I know that go to Korea to teach. You only have a one-in-eight chance of getting a job in Ontario if you're a graduating teacher right now. So of course there's going to be an influx of teachers heading out of the province to either other provinces or other countries. We're failing our students that way.

What has been in the newspapers recently is never getting enough attention, I don't think: math, which is an important subject for our students to excel in and develop interest in. The year 2013 marked the fifth year in a row that our students have showed a decline in math skills. Just 57% of students in 2013 met the provincial standards of the EQAO math testing, down from 63% in 2009. It's an amazingly low number; I don't know how we plan on growing our province if our students are not up to par in math. The education minister is quoted as saying, "I think that the academic background of a lot of our elementary teachers is more in the arts." She goes on to say, "They don't necessarily have an extensive background themselves in math and science." Well, that's probably true, but we need to deal with math so that teachers have the same comfort level with teaching math as they do reading and writing. It's critical for our children and their futures, especially in this technology-advanced world, and for our economy to grow. We're failing our students in math also.

So why is this government focused on a bill for collective bargaining when our children are struggling so much in the classroom? We have the young people that are technically inclined; we have the young people that could effectively teach math to our children and help develop their minds in a technically inclined way, but again, this government wants to hire teachers based on their seniority, not based on how they might be able to teach math. It's a serious problem. It can't be ignored. We've been fighting for it over here to try and get the best teachers to give the best education to our students in the province of Ontario.

Minister Sandals, the Minister of Education, claims that the proposed bill here is “groundbreaking legislation.” Who exactly is this groundbreaking legislation for? Is it the union, the negotiator? What about the actual students and teachers, who do not have much of a say in the bargaining process itself but are the ones who are most affected?

We have had a lot of problems that could be addressed in this Legislature. We want the best for our children, but at what cost? The Liberals are trying to put a collective bargaining process bill quickly through the Legislature, instead of focusing on getting the best teachers possible for our kids. So, frankly, I'm shocked that one of the 37 panels that the government has constructed has been unable to put forward a recommendation to help our students get ahead. It's a government of panels, there's no question. Anyway, I am digressing.

What we need to do, what is best for the students of Ontario in order to benefit all of us—we can't afford to put students in such a position that their academic futures may be in jeopardy. The last time the boards went to negotiate, the government ignored their previous two methods of collective bargaining and instead attempted to negotiate a memorandum of understanding with the unions. Unions were quite upset about Bill 115. They certainly expressed their displeasure with how the government handled the negotiation and inserted themselves into the process.

So we do not want a repeat of what happened back in 2012 under Dalton McGuinty, undermining the trust of teachers across Ontario. We will look forward to continuing—

**The Acting Speaker (Mrs. Julia Munro):** Thank you. Questions and comments?

**Ms. Catherine Fife:** In response to some of the comments that were made around Bill 122, I think we all acknowledge that clarity is needed around collective bargaining going forward. There was a breach of trust with regard to Bill 115, that the PCs also participated in.

For the Liberal government to bring forward this piece of legislation with this particular timing indicates that they understand that there's a lack of trust in the education sector—unions, non-unionized, whatever. But they are also putting forward a piece of legislation that ties their hands to some degree.

There is one component that the member has not addressed that is contained within the legislation. There is a provision in 122 as it stands right now that allows the employer bargaining agency to be substituted if, in the minister's opinion, the employer bargaining agency is unable or unwilling to perform its duties. For us, this leaves a little bit too much room and leniency for the minister. We have some trust issues with regard to the minister going forward. This is exactly

what happened with 115 in September 2012: The minister didn't like the way things were going, even though zero and zero was on the table. For political reasons, they pushed and pushed and imposed a contract on the education sector, really negating both rounds of bargaining in the previous sessions and rewriting the negotiations process on a day-by-day basis. We have some serious concerns around this. We will be addressing the leniency as it relates to 122 when it gets to committee, because we think this leaves an open door to a piece of legislation, and quite honestly, that's unacceptable.

If we all care about students in the province of Ontario, peace and stability and an open, transparent process are needed.

**The Acting Speaker (Mrs. Julia Munro):** Further comments?

**Hon. Jeff Leal:** It's always a delight to hear my colleague from Haliburton–Kawartha Lakes–Brock.

Just to provide a little technical clarification, I guess, at 6.5 hours we can adjourn the debate. It is adjourning the debate for the afternoon; it doesn't enable us to call a vote. When the official opposition moved the adjournment of the debate yesterday and did so, we voted for it because we wanted to stay here and not go home early. In other words, there's no mechanism to end the debate unilaterally. Of course, we've had 12 hours of debate, 52 members, and it will continue.

Madam Speaker, I happen to be the husband of a principal. And by the way, Karan and I had our 19th wedding anniversary yesterday. She was very busy, as a principal at St. Patrick school in Peterborough. When you visit St. Patrick school—it's a great, great school. She has a combination of young, wonderful teachers and veteran teachers, because that's the kind of cohesive team—like the Montreal Canadiens—to move forward. You need to have that kind of team spirit.

Just last Friday, I was at the official opening of the new addition to St. Paul elementary school in beautiful Norwood, Ontario. The diocese bishop, Bishop De Angelis, was there; my federal colleague was there. What a great celebration, to see what's happening in the education system in the province of Ontario: bright-eyed students getting the best learning in the world and getting to where they'll take their jobs on in the future and be a great success story. All sides of the House here should be celebrating the success of education in the province of Ontario. Last Friday, I got to see it first-hand—a wonderful experience.

Collectively, we'll get this bill moved forward. It'll provide the framework for future negotiations. Let's get it moving forward.

**The Acting Speaker (Mrs. Julia Munro):** The member for Durham.

**Mr. John O'Toole:** I listened attentively to the member from Haliburton–Kawartha Lakes–Brock. She brought, I think, some very salient points to the discussion, and representing her riding as well as she does, I think she really should have mentioned more frequently the relationship between education and the economy.

We know that it's a knowledge-based economy. We know that skills and all those things that are occurring—to remind our children how important the educational system is. But this bill does absolutely nothing. This bill, in my view, is a “kiss and make up” for the mess they've made out of the system.

Now, it's not all their fault. This has always been a very sort of fraught-with-conflict system. I can recall that when the NDP were in power, they commissioned the Royal Commission on Learning report called For the Love of Learning. I think there were about 135 recommendations from that, many of which had been followed through by the Mike Harris government. In fact, it extended funding to the Catholic boards—equal funding for every student. In fact, he changed the student-focused funding model totally. In fact, who did we put in charge of that? It was their Minister of Education, Dave Cooke.

Now, what they have done here is completely dissolve any legitimacy and authority for the boards. In fact, they're going straight to the union that basically runs it. They're a professional union but, nonetheless, they've got to realize that the economy is related to how many resources are going to be at their disposal. I think that's the unwillingness that I sense. They beat the NDP in that, even though they had the royal commission. They also had more commissions. They were the government that brought in the Sweeney commission, which reduced and cut in half the number of school boards.

This board is now going to go in creating “educational LHINs”—that's what I call them. They're going to be called educational LHINs. There will be four or five panels. Where's the role of the parents and the students in this?

This bill does nothing about improving education; it's about improving relations.

**The Acting Speaker (Mrs. Julia Munro):** The member for Bramalea–Gore–Malton.

**Mr. Jagmeet Singh:** I want to build on the points laid out by my colleague from Kitchener–Waterloo, that not only did the Liberal government breach trust, which causes us to be in a position to have some apprehension about the ministerial discretion which is included in this bill and which gives the minister too broad of a scope—of a power and of a mandate to act his or her whim, to substitute a bargaining unit in terms of the negotiating.

The other problem with this bill that raises some concern is the fact that, while I'm supportive of the idea of formalizing the process and making sure that all the parties involved are recognized as individuals that are a part of this process, the crown or the province, while a formal participant, isn't actually defined as a formal party. The problem with that is that the crown or the province, therefore, is not actually bound by the Ontario Labour Relations Act and doesn't have that requirement to bargain in good faith.

Now, one of the fundamental aspects of having a strong education system is peace and stability. If we're serious about ensuring that our children have a bright future, we need to make sure that our schools are stable, they're peaceful, and that we respect all the players involved. Without that respect, we can't move forward with a stable school system.

The fact that the crown or the province isn't actually bound by the OLRA to bargain in good faith raises some serious concerns when we already have a situation which is tenuous, and in which we've already seen a breach of trust. Moving forward, we need to eradicate any potential for abuse, and this is one other hole that we need to address. We need to make sure it doesn't exist so that we can really move forward with securing a bright future for the students in our society.

**The Acting Speaker (Mrs. Julia Munro):** The member has two minutes to respond.

**Ms. Laurie Scott:** I appreciate the comments from my colleagues in the third party, Kitchener–Waterloo and Bramalea–Gore–Malton, in respect to the trust and the debacle that occurred in 2012. I don't think that what went on in 2012 did anything for the relationships with the teachers, the students, the parents and, of course, the unions, who were kind of the big club in the whole situation.

The problem with this bill is rightly pointed out by my colleague from Durham. It's a "kiss and make up" bill. I agree; I like that line: It is a "kiss and make up" bill.

They missed the fact about jobs. I spoke a lot about the fact of our math scores going down and how the young teachers who have the high skills are not being hired because of seniority rules that exist. I talked about the amendment that my colleague from Cambridge has brought in for 274, to have that changed—because we are not preparing our children for the future and for the jobs.

The member from Peterborough: We have an area in Haliburton–Kawartha Lakes–Brock and Peterborough that has higher-than-average unemployment and huge youth unemployment. I say in good conscience that this bill, for what it is—it's a process bill; it's tweaking a few things—is not really addressing what we on the Progressive Conservative side have been calling for, and that's a real jobs plan out there for our young people. We, as politicians, have to be responsible in setting the stage to create an environment for jobs that helps our young people move forward. I don't think this government really does put children as the focal point of educational discussions in this Legislature. I think they are too busy keeping their union friends happy and at bay, and that is wrong.

Madam Speaker, we're going to support 122; we're going to talk about it a little bit more, though.

I want to just say, happy—

**The Acting Speaker (Mrs. Julia Munro):** Thank you. Further debate?

**Mr. Todd Smith:** It's a pleasure to join the debate this morning on Bill 122, the School Boards Collective Bargaining Act.

I had an opportunity last week to visit a couple of high schools in my area, as well. They launched the ACT Foundation program at Centennial Secondary School in Belleville on Friday

morning. I had the chance to work with some students on CPR and to make sure that they knew how to work those wonderful defibrillator machines that are now located in all of the high schools, thanks to some injection of cash from the private sector and, of course, our Ontario Trillium Foundation, which is a big supporter of that program as well.

I was at Quinte Secondary School later in the day, talking to Mr. Tetlock's grade 10 civics class about what life is like here at Queen's Park and what a joy it is to represent Prince Edwards–Hastings every day in this Legislature.

On Saturday afternoon, I was over at Mary Ann Sills Park, the beautiful turf park in Belleville, where the Moira senior Trojans—and I brought this up last week during debate—won back-to-back National Capital Bowl championships, with a 26-8 win—with all apologies to my friend from Leeds–Grenville—over the Gananoque Trojans. We knew the Trojans were going to win, going into that game. The Moira Trojans were playing the Gananoque Trojans, but it was Moira that came out on top.

Back to the bill, after that brief update on life at schools in the Quinte region: I can tell you that my wife is a very proud Moira Trojans supporter, because she's a high school teacher at Moira. That's the high school in east-end Belleville that just won its second straight National Capital Bowl championship on Saturday. She's a very good teacher. She worked right through the system. She was the head of the special education department at Moira Secondary School, and then she was the head of guidance for a year. Now she's the current head of the co-op program at Moira Secondary School. There are a lot of great teachers out there, and I know a lot of them give a lot of their time to coach football and run the student council and make sure the yearbook is out every year. There are great teachers teaching music lessons during lunch hours. There are so many out there. This bill that we're debating here does absolutely nothing to make the school experience any better for our students as they go to school.

We've talked about it before, Madam Speaker: In the last 10 years that this government has been in power, we're spending \$8.5 billion more in education for 225,000 fewer students who are in the system. The bulk of the money that they're injecting into the schools isn't to build better schools; the bulk of it isn't to make sure that these sports programs are available or the after-school programs are available. The money that they're injecting into the system is going into the pockets of the union membership. That's just a simple fact. It's not going to buy new textbooks; it's not going to buy new school supplies; it's not going to buy the latest and greatest technology to put into schools; it's going into salaries.

Why wouldn't it, really? After all, Madam Speaker, when these guys needed to get into power in 2003, they went to the teachers' unions and they said, "Look, help us and we'll help you." That's what happened in the election in 2007 and the election in 2011 as well. But something happened last year, a cataclysmic event in the world of the Liberal Party of Ontario and the teachers' unions. They would like us to forget about that fact because, as our member from Durham just indicated, this is the "kiss and make up" bill. This government brought in Bill 115. That was their bill, and they turned their backs on their friends. I'm telling you, they're trying to kiss and make up right now, but the teachers who I talk to remember exactly whose bill that was. That

belonged to the government across the way. They would like everybody to forget that that happened, but they're not forgetting, and with good reason.

You know, the NDP made much ado in October about Bill 74. They called that political favour-trading. But there's no greater example of political favour-trading than what we've seen over the last 10 years between the teachers' unions and the Liberal Party of Ontario. The single largest third-party spender in the last election wasn't EllisDon, not even close. It wasn't a major retailer or a developer or a brewery. Do you know who the biggest third-party spender was in the last election campaign?

**Interjection:** Who was it?

**Mr. Todd Smith:** It was the Elementary Teachers' Federation of Ontario. Most of that money went to members on that side of the House and to that party. And what did they do? They stabbed them in the back for political purposes—we're not exactly sure—or maybe, finally, a light bulb went off with Premier McGuinty and the finance minister, Dwight Duncan at the time, and they realized that they actually were digging a humongous hole that this province wasn't going to be able to get out of unless they started to get some of their costs under control. So they brought in Bill 115, and that was the first glimmer of recognition that the government had any inclination at all that they were spending far too much: "We can't afford it any longer. We have to start to get our costs under control in the province." They poured millions of dollars into making sure that their old buddies across the way got re-elected and then, at the first opportunity last September, they brought in Bill 115.

We've been saying for quite some time now that the government needs to bring in some bills that are going to start to invigorate our economy, bring some confidence back into the economy in Ontario. What we've seen over the last four weeks is hundreds and thousands of jobs leaving the province on a weekly basis. The Leamington closure of the Heinz facility after 104 years in operation—and my good friend here from the Leamington area knows exactly the impact that that kind of a closure is having on his community. I hate to say tumbleweeds will be blowing through Leamington, but that's the kind of effect this can have. The government was way too late in helping them out, and it's the policies of this government that are largely responsible for Heinz closing that facility after 104 years. The red tape that exists in Ontario—and they keep bringing in bills that are increasing red tape even further, like Bill 91, which is going to have a very detrimental effect on food producers and beverage producers in the province of Ontario. I've met with many of them, and they're considering moving out of the province because it's just too inefficient to do business here in Ontario. But let's move on.

Sensing that there's a possible election in the wind, this government has done the following: It has taken money from the taxpayers and it has given it to ETFO to make up for a mix-up that that union made during the last round of negotiations. Now it's establishing a new negotiating regime. We don't know what the effect of this new regime will be just yet. We know that it could lead to as much acrimony as the last one, and certainly the unions seem to be preparing for that. It does nothing to address the quality of our education in our classrooms. It does nothing to ensure an increase in the four-year graduation rate—and I stress the four-year graduation rate because it's important to state how many kids are graduating on time, not just eventually. The

one thing that we hear all the time from university professors is that 19-year-old young men who are in university are now behaving more like 17-year-old men because they are not ready when they leave high school. They're not ready for university. We hear that all the time from our university professors. This bill is not dealing with that problem, Madam Speaker.

It's not dealing with the problem that we've heard from Dr. Rick Miner, who is the former president of Seneca College. I've had meetings with Rick Miner where he has the great presentation called People Without Jobs, Jobs Without People. We're not preparing students in the classroom in high school to fill the holes that we're going to have in our employment sector. We need to do a better job of making sure that our high school curriculums are in line with the jobs that are going to be available in Ontario, if there are any jobs left at the end of the day in Ontario.

They're not dealing with one of the biggest complaints that I hear at my constituency office in Belleville and in Picton and up in Bancroft, Madam Speaker, and that is the issue of retired teachers taking jobs on the occasional teaching roll, or the supply list, as it's called, from new graduates from university who are just looking for a foot in the door. I know teachers in my riding, or at least graduates from teachers' college in my riding, who are working bagging groceries at the Metro grocery store, or they're working at the Starbucks, or they're working at Tim Hortons, because they can't get their foot in the door even on the supply list because it's jam-packed full of teachers who have supposedly retired and moved on in their lives. They have a great pension plan; we know that. I look forward to my wife cashing in on her pension plan some day, which she's paying into. But they need to step out of the way, because one of the biggest issues that I hear from young university graduates is that they can't even get on this list. This bill does nothing to deal with that situation.

There is so much more that this bill could have contained, but at the end of the day, it's exactly what the member from Durham called it. It's the "kiss and make up" bill. And you know what? The teachers who I talk to aren't going to fall for that this time.

**The Acting Speaker (Mrs. Julia Munro):** Comments and questions?

**Ms. Catherine Fife:** It's interesting to hear the member from PrinceEdward–Hastings say that Bill 122 will have no impact whatsoever on public education, because, fundamentally, I suspect that this is the party that's not interested in being respectful or transparent or accountable to the people who are the front-line workers in the public education system. They made that very clear when they joined the Liberal government with Bill 115.

It's interesting that they call it the "kiss and make up" bill, and perhaps there's some truth to that. There are some trust issues; they're trying to mend some fences. It's an uncomfortable place to be, on that fence. But the PCs are not even interested in forming those positive relationships. For them to say that negotiations don't matter when part of that negotiations process, if those school boards are actually at the table—if school boards that are on the front line, that know their communities best, have a valid place at that table, they can bring those issues of the skilled trades to the negotiations and they can talk about the high needs on special education, because those are huge issues in school boards. School boards are dealing with a whole myriad of issues that don't

have anything to do with the neo-liberal centralized agenda that has been imposed on them for the last 10 years.

I know it makes the Liberals uncomfortable when I talk about this, but you can actually see local democracy being undermined with every year that this government has held power. The voices of those trustees who are truly accountable at those school board tables have been ignored for way too long, and they're not going to be ignored anymore. If we get Bill 122 fixed at committee, if we plug those holes that clearly leave a lack of accountability, then it will be a good piece of legislation, and we look forward to making that happen.

**The Acting Speaker (Mrs. Julia Munro):** Further comments?

**Hon. John Milloy:** We've had 12 hours of debate. It's time to send this bill to committee.

There have been some mischievous comments made about this. For the record, I just want to say that the only way, particularly in a minority Parliament, this can go to committee is if the Conservatives stop their filibustering and stop the debate. We have no power to end this debate, except listening. All of them make the speeches over and over again. It's an important bill. Let's send it to committee.

**The Acting Speaker (Mrs. Julia Munro):** Further comments?

**Mr. Victor Fedeli:** I look forward to the opportunity to chat for two minutes about the comments made by our various members.

I was reading the Toronto Star this morning—yes, I do actually read the Toronto Star—and I was quite pleased, actually, to see that they finally understand the grim reality that we are in, in the city of Toronto.

The headline is “Economic Report Paints Grim Picture of Ontario,” and it was written by the very talented Martin Regg Cohn. It talks about Roger Martin's Task Force on Competitiveness, Productivity and Economic Progress, and sadly, what we realize is there is no progress. In fact, he calls it a “regress” here. Ontario is “in a stall,” not only in our outputs, our exports, but also in our imports. The fact that there is no economic progress in an economic progress report is quite startling. When you see the take-away message that is here, it is: “No point worrying about Ontario's economic stall. Better to be afraid, very afraid.” Those are the words of the Toronto Star. We're beyond the point of worrying about what's happening to Ontario; it's now the time to be frightened about what's happening.

We see, according to the Bank of Canada, that our revenue is going to be going down in the next year and the following year, and now that the Liberals have announced their spending spree, a pre-election spending spree, we see the spending going up. Revenue down, spending going up: There is absolutely no opportunity for them to balance the budget. That's the message we need to be sending to the voters.

**The Acting Speaker (Mrs. Julia Munro):** Further comments?

**Ms. Cindy Forster:** I just want to talk briefly. The member from Prince Edward–Hastings talked about cashing in on his wife’s pension somewhere down the road. Now, this is a party who is against public sector workers and who is against public sector pensions.

Now they’re against teachers coming back to work after they retire. But just a couple of months ago, I heard the Tories standing here in the House saying, “We need to increase the retirement age for teachers.” You can’t have it all ways. You can’t say, “Well, I want the teachers to work until they’re 60—”

**Mr. John Yakabuski:** We’ll raise the retirement age so they won’t have to come back.

**Ms. Cindy Forster:** “I don’t want them to have a public sector pension. I want jobs for young teachers.”

Well, you won’t have jobs for young teachers if you increase the retirement age from 55 to 60 for teachers. The young teachers will be 30 by the time they actually get into the workforce.

You know what? As far as having teachers work after they retire, with their good pensions that they actually get, they’re going to still be able to drive the economy, because they’re going to have some money to spend, and that’s what drives the economy in our communities.

With respect to the Liberals saying that we’ve had enough debate on this issue, we agree; we’d like to get this on to committee. But on the other hand, you voted yesterday to continue the debate, and you voted against the adjournment. We could have adjourned yesterday and had 10 or 15 minutes less of debate on this issue.

I think that’s all I really want to say on this issue at the moment.

**The Acting Speaker (Mrs. Julia Munro):** The member for Prince Edward–Hastings has two minutes to respond.

**Mr. Todd Smith:** I appreciate the comments from my NDP colleagues from Kitchener–Waterloo and Welland. They’re a little grumpy this morning. You can understand why, after the results in the federal election last night, they’d all be a little down and out. It was not a good night for their federal NDP cousins, that’s for sure.

I’d like to thank the government House leader as well for his comments—and the fact that he’s heckling as well, which is also nice—and my colleague from Nipissing, who enlightened us again.

It’s nice to know that the Toronto Star is finally catching on that we are not doing well when it comes to the financial ledger here in Ontario. It’s because of back-to-back-to-back-to-back multi-billion dollar deficits that this government continues to run, and this is a big part of it—and this bill is actually a big part of it, Bill 122, because, as we’ve dubbed it, the “kiss and make up” bill, the School Boards Collective Bargaining Act, comes on the heels of Bill 115, which occurred last summer, and that was a bill that was put forward by the government.

This is just a process bill, as we've heard a number of times here today. It's a way for the government to try and establish a negotiating framework. It's something that probably could have been done behind the scenes, but they brought it out here because they don't have a plan to get our economy on a roll so that we can create jobs.

If I was more of a cynical man—and I know, like the Minister of the Environment, I'm not really a cynical man—I'd say that this was drafted because the government needed a little leverage over one of its biggest fundraisers because those fundraisers are starting to play footsie with the NDP as a result of Bill 115 last summer. That's why we have Bill 122. Let's call a spade a spade. Bill 122 is on the table because they were worried about losing one of their biggest supporters financially to the NDP. It does absolutely nothing to make our education system better. It does nothing to improve the experience for our pages and my two daughters so that they can get a job at the end of the day here in Ontario.

**The Acting Speaker (Mrs. Julia Munro):** Further debate?

**Mr. Michael Harris:** I'm pleased to rise for the first time and speak to Bill 122 on behalf of the constituents I represent in Kitchener–Conestoga. I was actually just scanning a letter that my colleague the new critic for education, Rob Leone, sent to the minister, I believe just last week. He goes on to say that, since has been critic, the government has tabled two bills that really don't address the true issues that need to be addressed in our education system. I think that's unfortunate. However, we will carry on with regard to Bill 122.

During the Bill 115 process, the government ignored their previous two methods for collective bargaining and instead attempted to negotiate MOUs with the unions. The unions obviously were very upset that the government inserted itself in the negotiations, which resulted in labour unrest in the form of strikes and the suspension of extracurricular activities for the remainder of the school year.

In fact, I recall meeting with our chair of the local school board, Linda Fabi, who has now gone on to retirement and to bigger and better things. We wish her well in her later years, I suppose, enjoying herself. But I cannot forget the students that I spoke with during the course of that time last year. The calls started pouring into my constituency office, from not only students but their parents, who just couldn't believe that the unions had ordered their members to stop offering extracurricular activities. Actually, last Friday I watched CTV News, and it showed those teachers who were publicly shamed in one of the publications for going against their union and basically siding with the students. I recall a basketball team that had paid up, in the region of Waterloo, to go to Phoenix in Arizona to play over the Christmas holidays. There was a lot of debate on whether that team would go, forfeiting a lot of the fees and money that those parents had invested in their students. I know that the students by far wanted to get to Phoenix to play in that game. Those two teachers, thankfully, did say that they would support the team and they would go, and we thank them for that. In fact, I did place a call to both of them thanking them, on behalf of the parents and students in my communities for doing what's right, and that's to provide those extracurriculars to those deserving students.

The students, though, just couldn't understand how the unions could order their members to use extracurricular activities as a bargaining chip in a labour dispute without considering the effect that this action would have on the future development of our young people throughout Ontario. In fact, a lot of those students talked about it not just being sports or recreational extracurricular activities; I remember running into a student attending Huron Heights in my riding of Kitchener who said that she attended early-morning prep and after-school prep to bump her marks up to be able to get into college or university the following year. Again, it's not just the recreational or extracurricular activities that were important; it was the prep before and after school that would allow her to get a good post-secondary education and eventually a good job down the road.

However, though, facing the full power of the unions—I have to commend two students, Erica Boer and Taylor Cloutier, both students at Huron Heights, also in Kitchener. They did everything they could to bring back those extracurricular activities. Erica started by sending me a letter outlining her concerns and disappointments with the teachers' job action. She wrote that "extracurricular activities open doors to college and university and without these activities many kids will lose opportunities for their futures." I totally agree with her. She continued, saying, "We are the future of this province and deserve to have a voice. I personally don't want to stand by and lose the things I love to do. It only takes one person to make a difference." I have to say, I was immensely moved by Erica's letter. She demonstrated leadership and understanding of the political situation and knew the importance of restoring extracurriculars for not only herself, but her classmates and the rest of the students across the province. In fact, I had the opportunity to meet Erica and Taylor to talk about their letter, the effects that the union's job action was having on their high school experience—because down the road at the Catholic school, they weren't going through that difficulty. We talked about Erica, who had just started volleyball. Already, in that limited time, she had developed some strong friendships with her teammates, but in one fell swoop, the unions took that away from Erica, without a moment's notice.

Instead of giving up, though, Erica and Taylor organized their classmates. They had more than 350 students sign a petition calling on the government to restore their extracurricular activities. To assist their efforts, I also sent a letter along with this petition to the Minister of Education. Unfortunately, it didn't get a proper response from the government, but they did manage to raise enough awareness about the issue to make major media in the region, the Waterloo Record, pick up the story. So although it wasn't Erica's responsibility, she continued to be an advocate for students across Ontario, dedicating countless hours to restore those activities.

Madam Speaker, it's time to implement real measures that will ensure that students like Erica and Taylor will never have to endure disruptions like this again. Unfortunately, though, Bill 122 specifically doesn't address some of the major problems in our education system, as we have seen with Bill 115. In fact, it doesn't make a plan that will improve test scores and the quality of education to our students, as I outlined in my colleague Rob Leone's letter just recently. It doesn't help build confidence with parents in our education system. It doesn't define the role of a teacher and which duties they are responsible for, even in times of labour unrest—we have to put an end to using extracurricular activities as a bargaining chip—nor does it encourage teachers to be more involved in their schools in the form of extracurricular activities and after-school programs. It doesn't make these types of activities voluntary so that they won't be barred by teachers' unions.

My good friend the member from Cambridge wrote to the Minister of Education last week and in his letter addressed seniority rules for teachers as being a major problem in our education system. Young, enthusiastic teachers and new college graduates often go without teaching simply because of the seniority rules that are in place. This is despite the fact that they are highly qualified, dedicated and have enough experience to provide a good-quality education to our students here in Ontario.

However, Bill 122 does define central and local bargaining. One section, in fact, talks about the role the teachers' federations have at the central negotiating table with corresponding trustee associations. It also includes the role of government in the central bargaining process. Secondly, there is a local bargaining component that will still be maintained between the school board and their federation locals. It's important that this kind of local bargaining remains in place, and obviously, Bill 122 formally institutionalizes that.

However, during the whole Bill 115 debacle, I also heard from many support workers who didn't have a voice during the strike. They were left to obey authorities without any input. Speaker, we must ensure that when we are formally institutionalizing a bargaining process, all the seats at the table are properly filled, of course, with those stakeholders. This is another concern I have with Bill 122.

As a member of the official opposition, I've seen the government create legislation that gives, obviously, great power to the ministries without much review or scrutiny afterwards, an important part of the legislative process. The same goes for Bill 122, which is why we are calling for there to be a sunset clause added within it. When my colleague the member from Cambridge consulted teachers, school boards and trustees about this bill, they were fairly pleased at first glance but had a concern over the power the ministry had. Including a sunset clause would give the opportunity for the partners of education to come before a legislative committee, to consult with the ministry officials about the sections that work in the bill and what should be modified, based on the bargaining process at the time. I think that we can all agree this should be implemented within Bill 122 to protect the bargaining process in the future.

Finally, I want to reiterate the negotiation the PC Party is asking for, which was sent to the minister herself in a letter dated November 21. It asked them to commit to modifying regulation 274 so that we can have merit-based hiring back in our schools, so that students are receiving the best-quality education and that the principal is the one who determines who will fill that job best for his or her own school. Hiring practices must be based on who is the best person to fill the job, to improve test scores and engage our youth in extracurricular activities. At a time when math scores are down, we must make sure we are hiring the best people to bring our young Ontarians back on track and get them job-ready, shall I say? It should not be based on seniority, leaving our young graduates jobless or working at the same place they did before completing higher education. As many of the members on this side of the House have said, if the government is willing to meet that request, then we will meet them with theirs and move this bill to committee as fast as possible. However, if they will not make this compromise, then we will continue to have these discussions and speak on behalf of our communities and our constituencies.

Second reading debate deemed adjourned.