

Third Session – Forty-Second Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
(Hansard)

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

Member	Constituency	Political Affiliation
ADAMS, Danielle	Thompson	NDP
ALTOMARE, Nello	Transcona	NDP
ASAGWARA, Uzoma	Union Station	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian	Keewatinook	NDP
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy, Hon.	Kildonan-River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
DRIEDGER, Myrna, Hon.	Roblin	PC
EICHLER, Ralph, Hon.	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FIELDING, Scott, Hon.	Kirkfield Park	PC
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GORDON, Audrey	Southdale	PC
GUENTER, Josh	Borderland	PC
GUILLEMARD, Sarah, Hon.	Fort Richmond	PC
HELWER, Reg, Hon.	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek	Interlake-Gimli	PC
JOHNSTON, Scott	Assiniboia	PC
KINEW, Wab	Fort Rouge	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya	Notre Dame	NDP
MARTIN, Shannon	McPhillips	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
MOSES, Jamie	St. Vital	NDP
NAYLOR, Lisa	Woleseley	NDP
NESBITT, Greg	Riding Mountain	PC
PALLISTER, Brian, Hon.	Fort Whyte	PC
PEDERSEN, Blaine, Hon.	Midland	PC
PIWNIUK, Doyle	Turtle Mountain	PC
REYES, Jon	Waverley	PC
SALA, Adrien	St. James	NDP
SANDHU, Mintu	The Maples	NDP
SCHULER, Ron, Hon.	Springfield-Ritchot	PC
SMITH, Andrew	Lagimodière	PC
SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Vérendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
TEITSMA, James	Radisson	PC
WASYLIW, Mark	Fort Garry	NDP
WHARTON, Jeff, Hon.	Red River North	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, December 2, 2020

The House met at 1:30 p.m.

Madam Speaker: O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom and know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

Please be seated. Good afternoon, everybody.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 204—The Louis Riel Act

Mr. Wab Kinew (Leader of the Official Opposition): I move, seconded by the member for St. Johns (Ms. Fontaine), that Bill 204, The Louis Riel Act; Loi sur Louis Riel, be now read a first time.

Motion presented.

Mr. Kinew: Madame la présidente, ça me fait grand plaisir de présenter aujourd'hui la Loi sur Louis Riel. Ce projet de loi confère à Louis Riel le titre honorifique de premier premier ministre du Manitoba.

Translation

Madam Speaker, it is my great pleasure to introduce The Louis Riel Act today. This bill grants Louis Riel the honorific title of first premier of Manitoba.

English

Louis Riel wasn't just a founder of our province, he formed the first representative government in the British parliamentary style here and was recognized by the first prime minister of Canada as representing Manitoba in the negotiations that admitted us into Confederation.

Now, that is the story of the Confederation of Manitoba. It is time that Louis Riel is formally recognized as the first premier of Manitoba, and I look forward to all sides of the House supporting the bill.

Merci. Miigwech. Thank you.

Madam Speaker: Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Bill 218—The Somali Heritage Week Act

MLA Uzoma Asagwara (Union Station): Madam Speaker, I move, seconded by the member for St. Johns, that Bill 218, The Somali Heritage Week Act, be now read a first time.

Motion presented.

MLA Asagwara: Madam Speaker, I'm pleased to introduce Bill 218 to recognize the contributions of the growing Somali community here in Manitoba.

This bill will designate the week of June 25th to July 1st as Somali heritage week, a week that will celebrate the dates of independence of Somali—Somalia, Somaliland and Djibouti and their proud history.

Thank you, Madam Speaker.

Madam Speaker: Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

Committee reports?

TABLING OF REPORTS

Madam Speaker: I have a report to table.

I am pleased to table the following report: Annual Report of the Ombudsman—access and privacy, for the year ending December 31st, 2019.

Ministerial statements?

MEMBERS' STATEMENTS

Provincial Exhibition of Manitoba

Mr. Len Isleifson (Brandon East): As the year 2020 comes to a close, it gives us an opportunity to look back and appreciate the challenges that everyone has faced this year. I have talked to many individuals who have shared stories of both heartache and triumph, of achievement in the face of adversity and of tears in the struggles with this pandemic.

As communities traditionally come together to celebrate throughout the year, plans have changed on an ongoing basis as members of our communities have worked hard and made sacrifices to do their part in trying to stop the spread of this coronavirus. No differences are the changes occurring at the Provincial Exhibition of Manitoba, Madam Speaker.

The Royal Manitoba Winter Fair is home to Brandon's largest retail and commercial trade show with close to 200 vendors located on the upper and lower levels of the Keystone with everything from jewelry, vehicles, home-craft products and informational services. This is, of course, in addition to some amazing horse and cattle competitions, and many agricultural displays and shows. Unfortunately, Madam Speaker, this show was cancelled this year, and again for 2021.

Another casualty of this pandemic is Brandon's largest midway show, live music, show entertainment, traditional fair competitions, demolition derby and so much more at the Manitoba Summer Fair. Manitoba Ag Ex followed the same demise this year, as the seasonal showcase of local talent and unique products called Market at the Dome is also awaiting the decision on their future.

Madam Speaker, all of these wonderful events are brought to us by the Provincial Exhibition of Manitoba, but the loss of these events this year is heartfelt by everyone and everyone who regularly attends them.

As 2020 comes to an end, I want to wish all my colleagues, my constituents and those who regularly travel to Brandon to enjoy these wonderful events a happy holiday season and I wish you all the best for a prosperous 2021.

Thank you.

Urban Forests

Ms. Lisa Naylor (Wolseley): I speak today on behalf of the Wolseley tree canopy and Manitoba's urban forests.

Historically, women activists in Wolseley have always protected our urban forests, from defending the famous 100-year-old Wolseley elm in the late 1950s to protecting our trees today from disease and underfunding. I thank the Wolseley Residents Association for their efforts to bring federal, provincial and municipal government attention to this issue.

The city of Winnipeg is home to almost 8 million trees, 3 million of which are on boulevards and in parks. Wolseley constituents benefit from over 10,000 trees, our top two species being elm and ash. Tragically, 500 elm trees were removed due to Dutch elm disease in 2019, and another 818 are tagged for removal in 2020. Throughout 2019 and 2020, only 150 new trees were planted in the

constituency. We're also expected to lose most of our ash trees to invasive insects over the next 10 years.

Urban forests help to regulate our climate and offset energy costs. Trees mitigate the impact of floods and storm-sewer loads. They reduce air pollution and sequester carbon. They also improve our soil, provide habitats and improve our health and quality of life. Wolseley constituents are making the case for governments to reclassify urban forests as natural capital assets, including them as a vital part of urban infrastructure—as essential as roads—and fund them accordingly.

Spending time in forests, even urban forests, has been shown to lower blood pressure and calm one's mood. As we prepare to rise from the Legislature tomorrow, not to return until spring, I encourage my colleagues to hug a tree this winter and reflect on how vital trees are for our survival.

Thank you.

Staying Connected During Pandemic

Hon. Sarah Guillemard (Minister of Conservation and Climate): We are now in December, the last month of a very difficult year for Manitobans, for Canadians and for every person dealing with the pandemic throughout the world. Although each of us has unique struggles and are affected in different ways, we all share the common desire to see the end to the uncertainty and strain of the COVID-19 virus.

* (13:40)

The message to focus on the fundamentals have been repeated daily: wash your hands, wear a mask, keep your distance and stay home as much as possible. While these actions are currently our only defence against this invisible illness, there is a fatigue that permeates our days.

Humans are meant to be together. We need to feel connected. Even when we understand the reasons behind restrictions, the yearning for togetherness does not turn off.

So how do we stay together and connected safely? Many of my Fort Richmond constituents have written in to tell me about their efforts to provide companionship to those who feel alone, while making sure to follow health orders.

One neighbour suggested the next time you order from a local restaurant, add in an extra meal for a neighbour. Not only will you support a local business, you may be answering a silent prayer. Another email

suggested writing an encouraging card or letter to drop into a neighbour's mailbox. Kindness does not cost a thing, and each act makes this world a little less lonely.

Madam Speaker, small gestures sometimes have the biggest impact in times of stress. I am so very thankful to be part of a community that is focused on supporting each other through these tough times. The world is a better place because of their love for one another.

With that, Madam Speaker, I would like to wish a very merry Christmas to my brothers and sisters in Christ, happy Hanukkah to my Jewish neighbours and friends, happy Kwanza to my family and friends near and far, happy Gurpurab to my Sikh friends, and happy, healthy and blessed New Year to all.

Thank you.

Domestic Violence

Ms. Malaya Marcelino (Notre Dame): Madam Speaker, the message we've been hearing from Dr. Roussin has been to stay home in order to keep others and yourself safe. Unfortunately, for those who are the victims of domestic violence, staying home puts them at greater risk. Advocates have been repeating the same message throughout this pandemic: domestic violence has not gone away; it has simply gone underground. Domestic violence is not strictly physical; it can also be sexual, emotional and economic. It can also be lethal.

Across our country, every two and a half days, a woman or girl gets killed in intimate-partner violence. Those numbers increase when children and victims of familicide are included. Manitoba continues to have the third highest rate of domestic violence in Canada, and from January 10th until September 24th of this year, there have already been 16 women and girls that have been killed.

Last November also marked the heartbreaking one-year death anniversary of three-year-old Hunter Straight Smith, who was killed by his mother's abuser. Children like Hunter continue to be disproportionately targeted as victims of domestic violence. And even though anyone can be a victim of domestic violence, studies have shown that the four most vulnerable groups include children; those living in northern, rural and remote regions; Indigenous people and immigrants and refugees. Intersectional studies also pinpoint further that Indigenous women and children in remote, rural and northern communities are the most vulnerable of all.

Gone should be the days where domestic violence is viewed with the lens of problematic individuals or relationships. Instead, we need to address this issue on the levels of community and society. Advocates and researchers stress that solutions addressing domestic violence are complex, diverse, not a one-size-fits-all model.

I urge this government to increase supports for Manitoba's shelters and to provide stable, yearly funding instead of funding spots only when they're used. We know of crisis shelters so poorly funded they need to fundraise for basic necessities, including food and toiletries for women and children escaping violence. This PC government can do better than that.

Madam Speaker: The honourable member's time has expired. *[interjection]*

I heard a request. Is there leave to allow the member to complete her statement?

An Honourable Member: No.

Madam Speaker: Leave has been denied.

Clayton Swanton

Mr. Brad Michaleski (Dauphin): Madam Speaker, the people of the Dauphin region are amazing, and there's always something that someone or some group is doing to contribute positively to the community and regional development.

Dauphin's Clayton Swanton, a Rotarian, was recently recognized as one of Manitoba's Future 40 award winners that recognizes 40 Manitobans under the age of 40 who've made outstanding contributions to community and the lives of Manitobans.

Clayton serves with many community groups and is part of the Dauphin Derailleurs Cycle Club and development team that's continues to build Dauphin's latest amazing attraction.

Built on a unique piece of Manitoba's north escarpment, the Northgate multi-use trail system has 26 kilometres of trails that offer a range of challenges for amateur and competitive bike enthusiasts, hikers, birdwatchers and tourists of all ages. Land-use agreements, community partnerships and a lot of sweat equity has made this magnificent facility possible.

When Dauphin was chosen to host Manitoba's 2020 Summer Games, the one facility the city lacked was a mountain bike trail.

While COVID-19 pandemic postponed many events in the Parkland this year, it did not postpone Dauphin's optimism and visionary planning, it did not postpone the development of this terrific outdoor trail facility, nor has it deterred the trail dreamers from building this first-class regional attraction.

The people of Dauphin region continue to make dreams a reality, and the Northgate multi-use trail system, which is now open, with plans for future expansion, is the latest example of amazing people accomplishing amazing things.

Madam Speaker, I congratulate Clayton Swanton as he continues to be involved in community development.

From the Dauphin constituency, I wish you and everyone a safe and merry Christmas.

ORAL QUESTIONS

COVID-19 Testing in Schools Asymptomatic Surveillance Program

Mr. Wab Kinew (Leader of the Official Opposition): Madam Speaker, parents, students, teachers—they're all worried about the possibility of the coronavirus being transmitted in schools. Now, that's why our team and I suggested to Dr. Roussin, in our conversation a few weeks ago, that he could carry out asymptomatic surveillance testing in a few schools, at least on a pilot basis, to try and get a bit of data as to what exactly is going on.

On one hand, this may actually turn out to prove that there is some community transmission happening in schools. But, on the other hand, it might also reveal that schools are a very safe place to be.

The thing that stands in the way of Dr. Roussin being able to implement this proposal is, of course, testing capacity.

Will the Premier commit to increasing testing capacity so we can do this pilot asymptomatic surveillance testing in schools and give parents, teachers and students confidence that our schools are safe?

Hon. Brian Pallister (Premier): I appreciate the member's question.

This is an issue of real priority, I think, for all Manitobans, to make sure that we have a safe environment for our kids in schools, to make sure that we have a safe environment for our teachers and those who work in our schools as well. And this is why we proceeded to expand our testing capacity not just for

schools and for those who work in them, but for all Manitobans.

Our—for example, Madam Speaker, our lab testing capacity's quadrupled since the summer, and we're going to continue to invest in the necessary improvements in testing that the member has just spoken about.

Madam Speaker: The honourable Leader of the Official Opposition, on a supplementary question.

Mr. Kinew: Madam Speaker, we would certainly welcome continued interest in this topic from the First Minister and his government.

Now, one of the things that was proposed as potentially facilitating this idea that we're bringing forward is if we could allocate some of the rapid tests towards doing these surveillance testing programs. However, we have been made aware that not all of the rapid testing that has been allocated to Manitoba has been deployed at this time.

So, again, another suggestion for the First Minister and for his Cabinet: that they make sure that we can use those rapid tests as quickly as possible so that we could carry out some of this surveillance testing.

Now, we know that the Minister of Education (Mr. Goertzen) is going to make an announcement later this afternoon. If they do, in fact, say that there's going to be a break in education, then that suggests, perhaps, that there are legitimate safety concerns at the schools. That's why parents, that's why teachers, that's why students want us to get answers to these important questions.

Can the Premier commit to carrying out an asymptomatic surveillance testing program in Manitoba schools?

Mr. Pallister: Well, again, I appreciate the member raising the question of testing in schools.

And I think that the important thing for the member to understand is not all testing devices are the same. There are differences among them—some more reliable, some less reliable. And certainly, we're focused on getting the more reliable ones in place in our schools.

The fact is that, Madam Speaker, these investments continue to be made and will continue to be made, and our testing capacity, our number of sites has expanded, as you know, tremendously. Our capacity to do testing—just this past weekend, not

one testing site in the province got within half of the capacity that we've created as a government for testing. So that's good news.

We are prepared, if this thing worsens—as it is in most other provinces in the country right now—but we want to be sure that we have the testing available to assist and continue to offer quality education to our children in a safe way in our schools.

* (13:50)

Madam Speaker: The honourable Leader of the Official Opposition, on a final supplementary.

**COVID-19 Post-Holiday Education Plan
Call for More Education Assistants**

Mr. Wab Kinew (Leader of the Official Opposition): Well, Madam Speaker, we certainly look forward to getting some more answers about what is happening with community spread in school-based settings.

Now, another concern that many people are bringing forward about the possible closure of schools in January is the impact on educational assistants. Now, from their perspective, if they get laid off and they have no income during January, right after the holidays have passed, that could be very devastating on a financial level. But when we think about the impact on kids in the classroom—this is where I think it affects so many of us parents, so many of our families across the province. We know that there's so many kids in Manitoba who are great kids, exceptional kids. Many of them also have exceptional needs, and they need that help in the classroom.

So, we need to know details about the minister and the Premier's plan for education when it comes to January, because we need to be able to start preparing young people for what their education system is going to look like.

Will the Premier commit today to ensuring that there is adequate support for educational assistants so that they can continue doing their important jobs of helping exceptional kids in our classrooms?

Hon. Brian Pallister (Premier): The member's interest in educational assistants is most certainly shared by members on this side of the House.

Unfortunately, we inherited from the previous government the most top-heavy educational structure in the country. And investments that the previous government made were centered not at the classroom, not at the student level, but up top.

And that's why, Madam Speaker, in some detail—we undertook to do a detailed review of our education system to make sure that we are able to make improvements to move resources that were moved away from the student, back to the student.

Madam Speaker: The honourable Leader of the Official Opposition, on a new question.

**Hydro Rate Increase
Request to Cancel**

Mr. Wab Kinew (Leader of the Official Opposition): I think team Manitoba wants the Premier to wait and not cut school divisions until at least the pandemic is over. So, hopefully he can provide that reassurance.

Now, \$120–\$120, Madam Speaker—that is the amount of money that Manitobans have to pay more on their hydro bills in the coming year as a result of the rate increase forced through by this government, at this Premier's direction, but with the full support of this Cabinet. Without consultation, without discussion—at 4 o'clock in the morning—without so much as a public hearing, this Premier and his Cabinet, for the first time ever, legislated an increase to people's hydro bills.

Now, there's still time to undo the damage and to help Manitobans get by at this very important time of year.

Will the Premier stand in his place today and commit to reversing his increase to everyone's hydro bills?

Hon. Brian Pallister (Premier): Madam Speaker, this newfound interest by the NDP in Hydro is fascinating to me, and I want to share with members of the House that the actual increase this year is 20 per cent less than the average increase under the Selinger NDP government.

And so this interest in hydro rates comes without regard for the actual facts of history, Madam Speaker. That the NDP cared so little for Hydro that they quintupled the debt of Manitoba Hydro while in office is a historical fact.

And so, Madam Speaker, what we need to—the member opposite to understand is what we understand on this side of the House: Manitoba Hydro no longer belongs to the NDP. It now belongs to the people of Manitoba.

Madam Speaker: The honourable Leader of the Official Opposition, on a supplementary question.

Manitoba Hydro Board Member Vacancies

Mr. Wab Kinew (Leader of the Official Opposition): Well, Madam Speaker, when we review the history of Manitoba Hydro, two facts come to mind: (1) this Premier has a history of interfering with Manitoba Hydro, and (2) the entire board of Manitoba Hydro walked out on him, led by respected businessperson Sandy Riley, as a result of his mismanagement.

Now I know that we're all spending more time on our screens and recently, as we were perusing the Manitoba Hydro website, we noticed that there are two fewer board members on the Manitoba Hydro board, which begs the question: is this another Sandy Riley situation? Are we on the verge or have we already started to see the beginning of an exodus of board members from Manitoba Hydro again because of this government's mismanagement?

Can the Premier please answer the question and tell us how many more board members are going to leave Manitoba Hydro because of his interference?

Hon. Brian Pallister (Premier): Ten billion dollars, Madam Speaker—\$10 billion. That's what the previous NDP government charged Manitobans for really, really misguided projects like the bipole waste line which went halfway around the province to no intent and for no good purpose or reason.

Madam Speaker, the previous NDP government interfered with Manitoba Hydro without telling Manitobans and it's going to cost Manitobans billions of dollars for years to come. So the member can keep asking Hydro questions and I'll keep answering them.

When he speaks about our conflict with Sandy Riley, he's talking about an overruling of a decision, which he agreed with, to pay David Chartrand \$70 million of ratepayers' money just so he wouldn't create trouble for Manitoba Hydro. That's not right, Madam Speaker, and the NDP—*[interjection]*

Madam Speaker: Order.

Mr. Pallister: The NDP promised in the dark of night, at 4 in the morning—*[interjection]*

Madam Speaker: Order.

Mr. Pallister: —to give David Chartrand—*[interjection]*

Madam Speaker: Enough.

Mr. Pallister: —\$70 million of Manitoba's hard-earned money so that he'd support them in the last election—which he might have, Madam Speaker, but it didn't really matter.

Madam Speaker: The honourable Leader of the Official Opposition, on a final supplementary.

Mr. Kinew: Well, we know that's not true, and the Premier better be careful, otherwise Sandy Riley's going to come out and put him in his place again. That's what happened last time when the Premier started to talk about the MMF: Sandy Riley said that that was gross and it was absolutely wrong. So I'd just encourage the Premier to stay in his lane.

While we're talking about his lane, let's review the order-in-council that saw the removal of these two board members of Manitoba Hydro. Now, curiously enough, this was signed by the Premier in July of this year. Our searches show up no announcement, no press release. Why is—*[interjection]*

Madam Speaker: Order.

Mr. Kinew: —the Premier ashamed of this move? Why didn't this government thank these members for their service of Manitoba Hydro?

And at a time when he is raising rates on Manitobans right across the province, what has the Premier got to hide when it comes to his mismanagement of our most important Crown corporation? *[interjection]*

Madam Speaker: Order.

Mr. Pallister: It's questions like that that explain why the NDP blockaded the House: so they wouldn't have to ask questions like that. Because that question highlights the very real problem with the NDP record on Hydro: they thought it belonged to them.

It doesn't belong to them, but they thought it belonged to them, and so they ran up the debt of Manitoba Hydro shamelessly, Madam Speaker. And then they went so far as to say, yes, we'll take \$80 million from hard-working Manitoba ratepayers and we'll give it to David Chartrand because it helps our political fortunes.

They never learned a single thing from the mistakes of the past, Madam Speaker. They offered—to repeat—*[interjection]*

Madam Speaker: Order.

Mr. Pallister: –\$80 million given to David Chartrand just to be quiet and support the NDP. Madam Speaker, we don't agree with that and neither, frankly, does Sandy Riley, for that matter.

COVID-19 Testing Capacity Asymptomatic Testing in Schools

Mr. Nello Altomare (Transcona): As you know, we've asked a lot of our teachers during this critical time, and they have stepped up in incredible ways. They are working in challenging circumstances, some are even operating two, even three classrooms simultaneously.

And they have, of course, some straightforward requests. They are asking for timely COVID-19 case investigations so that schools can no longer do their contact tracing because of the public health delays.

Can the minister commit to timely case investigations and will he tell teachers when that will happen?

Hon. Kelvin Goertzen (Minister of Education): I agree with the member. Teachers have done an extraordinary job during a difficult time, Madam Speaker. I would add to that list the EAs. I would add to that list the bus drivers, the janitorial staff, all of those who are working in our schools. It is a very, very difficult situation, Madam Speaker.

Of course, it's difficult in many different places within society and we know that there are many who are struggling, but we do appreciate all of those who have been in our school system, ensuring that students are safe—[interjection]

Madam Speaker: Order.

Mr. Goertzen: –but also, most importantly, that they're getting the education, Madam Speaker, that they deserve.

And also one of the things that we learn in education is to have good manners and to have decorum, and I hope that the members opposite will remember their school days and follow that when I answer the next question, Madam Speaker.

* (14:00)

Madam Speaker: The honourable member for Transcona, on a supplementary question.

Mr. Altomare: As we heard earlier, there simply isn't enough information about COVID in our schools and the nature of COVID-19's spread.

Recent asymptomatic sampling done in Thorncliffe Park in Toronto revealed significant COVID infections that were flying under the radar. Unfortunately, as Dr. Roussin explained yesterday, the Province does not have the testing capacity to sample asymptotically in schools.

Yet, expanding capacity now isn't a physical limit but, rather, a financial one. Teachers are looking for reassurance based on evidence.

Will the minister order more testing to assure the public and teachers and everyone that works in schools that they are safe?

Mr. Goertzen: Madam Speaker, I am pleased that the member for Transcona quoted Dr. Roussin, because Dr. Roussin has stated on the record many times, and many times recently, that our schools are safe and—especially compared to the overall transmission rate that we're seeing within the broader community.

He has continually stated—and, of course, he was intimately involved with the back-to-school plan—that our teachers are doing a great job, that those in the system are doing a great job and, as a result of their great work, our schools have remained safe.

Yes, we had six outbreaks, Madam Speaker, in schools. I am pleased to say that all of those have been resolved. All of those are over.

Madam Speaker: The honourable member for Transcona, on a final supplementary.

Mr. Altomare: What teachers are specifically asking for is straightforward.

They're asking for a mask mandate for K-to-3 kids. They want effective contact tracing so that they don't have to do the case investigating themselves. They want expanded testing done to find and break the train and chain of transmission of this virus and receive real assurance about the nature of its spread in schools.

Nearly half of all infections in Manitoba come from an unknown source, as was mentioned today by the—by our—by Dr. Roussin. Teachers are right to ask for assurance that their classrooms aren't contributing through asymptomatic spread.

The minister can do so by listening to teachers and providing more testing and more evidence that schools are safe.

Will he commit to that today?

Mr. Goertzen: Madam Speaker, we do listen to teachers. In fact, one of the early meetings that I had in the summer, when it came to the back-to-school plan, was with the Manitoba Teachers' Society, and their president asked me to commit to following public health advice.

When it comes to the mask mandates, we did follow the public health advice, Madam Speaker. So, I know that there's an additional request now, but we continue to follow the advice not only that's happening in Manitoba but the national standard as well. I recommitted that to Mr. Bedford on a meeting a couple of days ago.

We'll continue to follow the public health advice. I think that the member opposite would be wise to not try to undermine public health in Manitoba.

Concordia and Seven Oaks Hospitals Request to Retain CancerCare Clinics

Mr. Matt Wiebe (Concordia): Over just the last few weeks, Madam Speaker, thousands of people have signed petitions begging this government to stop its cuts to the CancerCare clinics at Concordia and Seven Oaks hospitals. They're angry because, once again, this government is making health-care decisions based on the advice of accountants and on consultants, not on the advice of nurses and doctors.

We know the Premier (Mr. Pallister) is hoping that nobody's paying attention during this pandemic, but thousands of Manitobans who've been touched by cancer and their families are certainly paying attention.

Will he listen to the people of northeast and northeast-west Winnipeg and keep these CancerCare sites open?

Hon. Rochelle Squires (Acting Minister of Health, Seniors and Active Living): The very workforce that that member is referring to is a workforce that has special capabilities, a very specialized skill set that is being redeployed in areas of urgent need during this global pandemic.

And we would like to take this opportunity, on behalf of the government, to thank all those health-care workers who are on the front lines responding to the urgent health-care needs of this global pandemic.

I would also like to highlight a very important memorandum of understanding that our government formed with the Nurses Union. I want to thank all the front-line nurses who are willing to be redeployed

where the urgency is greatest in—during this time of a pandemic.

Madam Speaker: The honourable member for Concordia, on a supplementary question.

Mr. Wiebe: Unfortunately, this closure of the CancerCare site has nothing to do with redeployment of staff because of COVID. In fact, it's this government's own documents that confirm that this cut is based solely on fiscal performance, not what's best for patients.

We heard from CancerCare nurses who wrote to us saying, closing down the site at Concordia community is, in our opinion, contrary to what CancerCare—Manitoba's goals of patient care are, and that, quote, we are concerned that this decision has more to do with saving money than it has to do with the best interests of patients. End quote.

And most egregiously, Madam Speaker, this is all being done while the health-care system and nurses are under strain because of this government's cuts in this pandemic.

Will he listen to the nurses and will he keep this CancerCare site open?

Ms. Squires: I would just like to remind that member that it is this government that has invested \$650 million more in health care than that government ever did.

Madam Speaker, our memorandum of understanding with our nurses provides an additional top-up to compensate our nurses for the flexibility and the mobility that they require to be rapidly redeployed, so we are very pleased to be offering nurses a top-up.

We also did form an understanding—[interjection]

Madam Speaker: Order.

Ms. Squires: —with our doctors—an agreement with our doctors to ensure that doctors are fairly remunerated if they happen to be in isolation.

So, we're working very collaboratively with doctors, nurses, all health-care professions in this province to ensure that Manitobans get the health care that they need.

Madam Speaker: The honourable member for Concordia, on a final supplementary.

Mr. Wiebe: The truth is, Madam Speaker, this government has no credibility. Every single member opposite knocked on the doors in the election and said, we will not cut front-line services.

In fact, the Minister of Families went so far as to say, quote: At no time has the PC party every said, suggested, or even hinted at reducing patient access to CancerCare treatment. We have not said that and we will not. We are not doing that. Again, playing politics with cancer patients is deplorable.

What's deplorable, Madam Speaker, is that this government and this Premier (Mr. Pallister) are willing to break their promise to—*[interjection]*

Madam Speaker: Order.

Mr. Wiebe: —to CancerCare patients across this province.

Why did this minister and why did this Premier break their promise, and will they keep the CancerCare sites at Seven Oaks and—*[interjection]*

Madam Speaker: Order.

Mr. Wiebe: —Concordia open? *[interjection]*

Madam Speaker: Order. I think everybody would like to hear the questions and the answers, please.

Ms. Squires: The shameful display of arrogance from members opposite, playing politics with cancer once again, just like they did in the 2016 election when they said that the PC—*[interjection]*

Madam Speaker: Order.

Ms. Squires: —government would be taking away access to cancer drugs, was completely false and I would like every member of that caucus to apologize for fear mongering amongst Manitobans in 2016 and today during a global pandemic.

Shame on them.

Child-Care System Review KPMG Report and Bill 47

Ms. Danielle Adams (Thompson): Madam Speaker, the House recesses tomorrow and yet the minister has not told Manitobans or this House about the changes she is making to our child-care system.

The KPMG child-care review remains hidden, and the legislation enacting its 'recommended' changes has yet to be distributed. This is a remarkable lack of accountability.

I ask the minister: Will she release the K-M-P-G report and the—Bill 47 today?

Hon. Heather Stefanson (Minister of Families): Once again, the litany of false accusations from the member opposite, Madam Speaker.

The fact of the matter is is that we inherited a mess when it comes to a child-care system in the province of Manitoba, and we're continuing to clean up that mess as we are in all areas from the previous NDP government, Madam Speaker.

* (14:10)

We will continue to work with those in the child-care sector. We'll also work with families—families, Madam Speaker, who need to get back to work, families who need the child-care support that—and we'll ensure that they will have the choices that they need when it comes to child care in the province of Manitoba.

Unlike members opposite, who jacked up wait-lists for child care in Manitoba, we are listening to parents, we're listening to those in the child-care sector and we will ensure that there is child care there for Manitoba families.

Madam Speaker: The honourable member for Thompson, on a supplementary question.

Ms. Adams: Thousands more people were added to the child-care wait-list under the Pallister government, and this minister's response was just to turn off the counter two years ago. Again, that's not accountable.

Now the minister is giving KPMG \$600,000 to lay out plans to privatize and cut child care. But the recommendations as well as the enacting legislation are being hidden from Manitobans. If the minister is so proud of her plan, wouldn't she want everyone to know?

I ask her: Why is she so ashamed of her own plans for child care? What does she have to hide?

Mrs. Stefanson: Well, Madam Speaker, at a time when Manitobans need support and comfort and hope, all the member opposite offers is fear, more fear mongering for Manitoba families. That is not what is needed right now.

The member opposite should know that we inherited a mess from the previous NDP government and we'll continue to work with Manitoba families so that they get the choices that they need, want and deserve in a child-care system in the province of Manitoba.

Madam Speaker: The honourable member for Thompson, on a final supplementary.

Ms. Adams: Well, I don't know how the minister is consulting and listening to Manitobans when their legislation is already written.

If she is truly proud of her child-care plan, why doesn't she not show us the plan, release Bill 47? Instead, she knows her arguments for cuts and privatization are so flimsy they can't stand up to any criticisms whatsoever. It's not a good look, and it certainly doesn't serve Manitobans to have the review and legislation hidden in the minister's desk over the winter months.

So, again, I ask her: Will she release the legislation and the report for Manitobans to see?

Mrs. Stefanson: Well, Madam Speaker, what's not a good look is the child-care system as it was under the previous NDP government, so we're continuing to clean up the mess of the previous NDP government.

They take a very ideological approach when it comes to the delivery of child care in the province of Manitoba. We won't do that, Madam Speaker. We will listen to families. We'll—listening to those child-care workers working in the field. We will develop a system that works for Manitoba families so that they have the child care when they need it.

Child Survivors of Sexual Assault Northern Support Services Needed

Ms. Amanda Lathlin (The Pas-Kameesak): Last week, I introduced Bill 213 in the House. This bill will help underage victims of sexual assault in northern and isolated communities access the health care they need. Many northern communities do not currently have the resources needed to provide support to children who are victims of sexual abuse, and Bill 213 would ensure access to these much-needed resources.

Will this government commit today to unanimously support Bill 213?

Hon. Cathy Cox (Minister responsible for the Status of Women): Appreciate the question.

You know, as the Minister responsible for the Status of Women, you know, we work together with all departments through the Gender-Based Violence Committee of Cabinet to ensure that we end domestic violence not only in, you know, northern Manitoba, but across the entire province. So we will continue to ensure that we provide the services that are available for those most vulnerable people across our province.

Madam Speaker: The honourable member for The Pas-Kameesak, on a supplementary question.

Ms. Lathlin: Madam Speaker, we are talking about children here. Currently, in northern communities only adults have access to sexual assault kits. That

means that if a minor reports a sexual assault, they must leave their communities and fly to the Health Sciences Centre in Winnipeg to receive care.

This unnecessary travel adds an extra layer of trauma for victims, poses obstacles to finding the perpetrators and shows inequality in access to resources for victims of sexual assault.

Madam Speaker, our children deserve better.

Will the minister commit today to investing in more resources for underage victims in sexual assaults in the North?

Mrs. Cox: You know, our government is very proud of the record that we've taken to provide additional services to vulnerable women and their families, especially during this pandemic, Madam Speaker.

We have initiated the very broadest and largest awareness campaign in the history of the Family Violence Prevention Program, ensuring that all women and their families know that there are places available 24-7 for women who are feeling the—concerns regarding domestic violence or interpersonal violence.

We will continue to work hard to ensure that women know that the resources and services are available when home is not—no longer safe.

Madam Speaker: The honourable member for The Pas-Kameesak, on a final supplementary.

Ms. Lathlin: Bill 213 would require the provincial government to publicly report on the number of health professionals trained to examine child victims of sexual assault and the number of evidence kits available.

This is not a partisan issue, Madam Speaker. Northern communities need an adequate supply of trained health professionals and sexual assault evidence kits to ensure that victims of sexual assault can receive care and justice they deserve.

Nanakachinan, Minister of Health. Look after us.

Will the minister support our bill and commit to training more health-care professionals to examine children who are victims of sexual assault in northern Manitoba?

Ekosi.

Hon. Heather Stefanson (Minister of Families): And I thank the member for the question. It gives me an opportunity to talk about some of the public safety initiatives for youth in our province, Madam Speaker,

including \$15 million in initiatives to combat the sexual exploitation of children through Tracia's Trust, \$2.2 million to expand StreetReach programming in Thompson and support their community mobilization hub to prevent youth crime.

Madam Speaker, there's many other investments that are being made, but the StreetReach program was very successful in Winnipeg. We have got some—gotten some preliminary results that it's very successful in Thompson in terms of helping those risk—those children who are at risk in northern communities.

Madam Speaker, we're committed to making those investments, and we'll continue to work with those in the community to ensure the safety of all children in the province of Manitoba.

COVID-19 and Education System Federal Funding for Schools

Mr. Dougald Lamont (St. Boniface): Yesterday, I was invited, with MLAs from all parties, to a meeting of the Louis Riel School Division. They've run out of teachers. People are burning out. There isn't enough adequate testing and contact tracing. They want to know what code red in a school looks like. They want to make sure that EAs aren't laid off if there are schools closures, and LRSD alone is facing a deficit of over \$9 million by June. That's the cost of keeping schools open and keeping children and staff safe in the—this pandemic.

They need assurances and support, but why is it that, in December, school divisions still have no indication from this government of how \$85.4 million in federal safe-back-to-school money is being spent?

Hon. Brian Pallister (Premier): The member will get answers to most of those questions in the next hour, but the reality of Liberal funding is that it has disappeared when it comes to health care, and I think it's important to emphasize that.

In 2015, the federal Liberal Party ran for election saying, and I quote from their platform, we will restart the important conversation and provide collaborative federal leadership. We'll negotiate a new health accord with provinces, including a long-term agreement on funding.

That was October 2015. Fast forward now to December of 2020. We now have a meeting. We have a meeting five years later. We need action, Madam Speaker, to support health care in this province and in this country.

And so I thank the NDP for standing with us on this issue, and I'm discouraged when I understand the Liberals want to sit this one out.

Madam Speaker: The honourable member for St. Boniface, on a supplementary question.

Personal-Care Homes Request for Inquiry

Mr. Dougald Lamont (St. Boniface): We share families' disappointment that police have dropped their investigation into the personal-care home owned by Revera. There's no question that Revera misled the public at Maples.

* (14:20)

I table documents and articles showing that the same company, under the name Extencare, failed to disclose the deaths of residents, as well as articles showing that nurses were breaking down in tears due to underfunding and overwork and a chronic lack of inspections. But these are from 1982, 1989, 1997, '98, '99, 2000, 2007, 2011, '15 and '16, Madam Speaker. Forty years of neglect. Twenty-two years ago, a PC Health Minister rejected an inquiry into deaths at a Revera home because he wanted immediate change. It never happened.

We need an inquiry into personal-care homes to know the truth, to hold people to account and to drive change.

Will the Premier call one?

Hon. Brian Pallister (Premier): Lot of fury—justifiable in the face of some of the indefensible behaviours of management at Revera, but it should be noted that the member is talking about a seniors home owned by the federal government, and so there's an ethical issue, as well, in terms of the responsibilities owners have to oversee the facilities they own.

And I would remind the member of that when I remind him also that every provincial premier, regardless of political stripe, supports getting the federal government onside to support health care. The opposition does too: federal NDP, the Bloc, PCs—all of them, CPC in Ottawa, every one—every one—and most opposition parties all over the country.

The only organization that I'm aware of that's sitting this challenge out and saying let's not do anything about it, is the provincial Liberal Party—west, and they need to get their act together and support health care for Manitobans and support health care for Canadians, because now is the time.

Madam Speaker: I just would like to draw to the attention of members that, when questions are to be asked, supplementary questions are to be of the same content as the first question, and they are supplementary questions to that main topic. It is not in the rules that would allow different topics to be used in supplementary questions.

So, that's just a reminder to members that are posing questions, to keep the content the same throughout all their questions.

Homeless Population in Manitoba Housing Support and Online Resources

Hon. Jon Gerrard (River Heights): Madam Speaker, I've had discussions with students at Kelvin High School about those who are homeless, our friends on the street.

I ask, following these and other discussions: Will the government ensure that there's a web page for those who are homeless and for those who help them, to include daily occupancy and vacancy rates and available spaces at shelters and transitional housing in Winnipeg, as well as a list of warming centres and other resources for those who are underhoused?

And will the government also bring organization and co-ordination to its existing programs, including EIA, to achieve a guarantee of quick access to housing with supports for all Manitobans who are homeless?

Hon. Heather Stefanson (Minister of Families): I thank the member for the question.

It gives me an opportunity to inform the House that we, as of Sunday, opened a new 138-bed isolation site in Winnipeg for homeless Manitobans, Madam Speaker, bringing the total number of isolation sites to five in Winnipeg and 14 across the province of Manitoba.

This is also on top of \$3.5 million that we have invested in our homeless shelters, Madam Speaker: more than \$550,000 for Main Street Project, more than \$720,000 for—to support the Salvation Army, over \$225,000 to support Siloam Mission.

We also gave resources to RaY, the resource assistance to youth, Madam Speaker, and we will continue—

Madam Speaker: The member's time has expired.

Manitoba Public Insurance Rebate for Policy Holders

Mr. Josh Guenter (Borderland): Madam Speaker, earlier this week, the minister of Crowns announced additional financial relief to Manitobans in the form of premium rebates to Manitoba Public Insurance policyholders.

Can the minister update the House on how the rebate will benefit Manitoba Public Insurance ratepayers?

Hon. Jeff Wharton (Minister of Crown Services): For the second time this year, Madam Speaker, Manitoba Public Insurance will be providing financial relief to the policyholders of Manitoba Public Insurance.

Madam Speaker, MPI customers will receive a total of \$69 million—about \$100 per policyholder this year, in addition to the previous rebate of \$110 million in May of this year and the corporation's recent request of 8.8 per cent overall rate decrease at their general rate application with the PUB.

If approved, customers will also receive an additional \$110 on their premiums in 2021, Madam Speaker, totalling in excess, just under a year, of \$250 million back to Manitobans in a time they most need it.

Thank you very much.

Shamattawa First Nation Health-Care Support

Mr. Ian Bushie (Keewatinook): The Manitoba residents living in Shamattawa deserve to have the same treatment afforded to all Manitobans. They are not only dealing with an outbreak of COVID-19; they're also dealing with a tuberculosis outbreak.

When will this government stop playing jurisdictional games and do what is right for the health of all Manitobans, regardless of where you reside in our province, and provide real support for the community of Shamattawa?

Hon. Brian Pallister (Premier): Yes, it's a great question. I appreciate the member asking it.

The people of Shamattawa are in a rough situation right now. Our hearts go out to them, but more than that, we are prepared to work jointly with the federal government in support of the community, as we have been. We've offered to do that. We'll continue to.

And I will use this opportunity to also mention to all members that's exactly what we're trying to do in respect of a vaccine. The potential for a vaccine is very real. We know that in the United Kingdom today that we have one licensed and available and ready to go.

So this is an issue that needs the attention of the federal government, and saying you have a process isn't an answer. Saying you're prioritizing Indigenous people isn't an answer. We need details from the federal government so we can get a plan in place to get these vaccines to the communities where people need them now.

And so we'll continue to work very hard with our Indigenous organizations and with the federal government, but we need answers for these important questions. How can we get this vaccine to the people in our province effectively and soon? That's what the people of Shamattawa deserve to know, and that's what the people of this province deserve to know as well.

Madam Speaker: The time for oral questions has expired.

Speaker's Ruling

Madam Speaker: And I have a ruling for the House.

On March 17th, 2020, the honourable member for Flin Flon (Mr. Lindsey) rose in the House alleging that a matter of privilege regarding cuts to health care and to front-line services and the constitutionality of bill 28 had occurred.

The member alleged that the attempts of the government to implement the bill without proclaiming it affected his ability to do his job as an MLA. The member concluded his comments by moving, and I quote, "that this issue be referred to an all-party committee for resolution immediately." End quote.

The honourable Government House Leader (Mr. Goertzen) and the honourable member for River Heights (Mr. Gerrard) also offered advice to the Chair. The Deputy Speaker then took the matter under advisement in order to consult the procedural authorities. I thank all honourable members for their contributions to the matter of privilege.

In raising privilege, members must satisfy two conditions in order for the matter to be ruled in order as a prima facie case. It needs to be demonstrated that the issue was raised at the earliest opportunity, and that sufficient evidence has been provided to demonstrate that the privileges of the House have

been breached, in order for the matter to be put to the House.

The honourable member for Flin Flon suggested that the criteria for determining the earliest opportunity should be interpreted in, and I quote, holistic or contextual matter, end quote, and quote: cannot simply mean the next moment in time in which a member has ability to speak, end quote.

The procedural authorities disagree with the member's contention. Bosc and Gagnon advise on page 145 of the third edition of House of Commons Procedure and Practice that, and I quote: The matter of privilege to be raised in the House must have recently occurred and must call for the immediate action of the House. End quote.

Therefore, the member must satisfy the Speaker that the matter is being brought to the House as soon as practicable after becoming aware of the situation.

I ask members to keep this in mind when assessing the aspect of timeliness in the future, as I am not satisfied the condition was met in this case.

Regarding the second issue of whether a prima facie case was demonstrated, the issue raised does not qualify as a breach of the privileges of the House.

Potential impacts of legislation on the general public do not breach the privileges of the House as parliamentary privilege does not apply to the general public.

In addition, disagreement by members with proposed or existing legislation does not fulfill the criteria of a breach of privilege; rather it is an issue of a difference of opinion and beliefs.

Regarding the issue of cuts to health care, the member essentially alleged that administrative or policy decisions made by the provincial government in regards to the funding of health care were grounds for a matter of privilege.

* (14:30)

I would note for the House that Joseph Maingot advises on page 224 of the second edition of Parliamentary Privilege in Canada that allegations of misjudgment or mismanagement or maladministration on the part of a minister in the performing of his or her ministerial duties does not come within the purview of parliamentary privilege. This finding is supported by one ruling from Speaker Rocan in 1994, three rulings from Speaker Dacquay in 1996 and one by Speaker Hickey in 2006.

I would remind the House that the individual protections for members under parliamentary privilege include freedom of speech; freedom from arrest and civil actions; exemptions from jury duty; freedom from obstruction, interference, intimidation and molestation; and the exemption from attendance as a witness.

In order for a prima facie case of privilege to be found, one or more of these individual protections would need to be demonstrated to have been violated.

In regards to the member's comments that he could not fulfill his role as an MLA to hold the government to account because Bill 28 was not yet proclaimed, Maingot further advises on page 224 of the same edition that, and I quote: "Parliamentary privilege is concerned with the special rights of members, not in their capacity as ministers or as party leaders, whips or parliamentary secretaries, but strictly in their capacity as members in their parliamentary work." End quote.

Therefore, the honourable member for Flin Flon (Mr. Lindsey) cannot claim the protection of parliamentary privilege for the performance of his duties as a critic, but only as an MLA. All of the above references from Joseph Maingot are supported by rulings from myself as well as from Speakers Rocan, Dacquay and Hickey.

The member has not demonstrated any obstruction or impediment regarding the function of the House, nor the discharge of his duty. Given that members have been able to ask questions in oral questions, raise grievances, make members' statements and participate in debate and in committee meetings, it is difficult to agree with the suggestion that the member was impeded from performing his parliamentary duty.

I must therefore rule, with the greatest of respect, that the matter raised does not fulfill the criteria of a prima facie case of privilege.

PETITIONS

Dauphin Correctional Centre

Mr. Diljeet Brar (Burrows): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

As of January 27, 2020, Manitoba's justice system was already more than 250 inmates over capacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This has been signed by many Manitobans.

Madam Speaker: In accordance with our rule 133(6), when petitions are read they are deemed to be received by the House.

Quality Health Care

Mr. Ian Bushie (Keewatinook): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) The provincial government's program of cuts and restructuring in health care have had serious negative consequences, reduced both access to and quality of care for patients, increased wait times, exasperated the nursing shortage and 'significantly' increased workload and the reliance on overtime from nurses and other health-care professionals.

(2) Further cuts and consolidation are opposed by a majority of Manitobans and will only further reduce access to health-care services.

(3) The provincial government has rushed through these cuts and changes and failed to adequately consult nurses and health-care professionals who provide front-line patient care.

(4) Ongoing cuts and changes appear to be more about saving money than improving health care.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government reverse cuts and closures that negatively impact the patients' ability to access timely quality health care.

(2) To urge the provincial government to make real investments in Manitoba's public health-care system that will improve the timeliness and quality of care for patients by increasing the number of beds across the system, and recruiting and retaining an adequate number of nurses and other health professionals to meet Manitoba's needs.

This has been signed by many Manitobans.

Madam Speaker: Is the honourable member for Tyndall Park available for a petition?

Ms. Cindy Lamoureux (Tyndall Park): No petition today, Madam Speaker.

Madam Speaker: Okay. Moving on, then, to the honourable member for Flin Flon.

Dauphin Correctional Centre

Mr. Tom Lindsey (Flin Flon): Madam Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

(2) The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27, 2020, Manitoba's justice system was already 250 inmates overcapacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

And, Madam Speaker, this petition has been signed by Travis Hildebrandt, Theresa Zabiaka and Dave Zabiaka, as well as many other Manitobans.

Mr. Jim Maloway (Elmwood): Madam Speaker, I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

(2) The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27, 2020, Manitoba's justice system was already more than 250 inmates overcapacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This petition has been signed by many Manitobans.

Early Learning and Child-Care Programs

Ms. Malaya Marcelino (Notre Dame): Madam Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

The early learning and child-care programs in Manitoba require increased funding to stabilize and support a system that is in jeopardy.

Licensed, not-for-profit early learning and child-care programs have received no new operating funding in over three years, while the cost of living has continued to increase annually.

High-quality licensed child care has a lasting positive impact on children's development, is a fundamental need for Manitoba families and contributes to a strong economy.

The financial viability of these programs is in jeopardy if they cannot meet the fiscal responsibility of achieving a balanced budget, as all operating expenses continue to increase.

The workforce shortage of trained early-childhood educators has continued to increase; quality child care is dependent on a workforce that is skilled and adequately remunerated.

Accessible, affordable and quality early learning and child-care programs must be available to all children and families in Manitoba.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to increased funding for licensed not-for-profit child-care programs, in recognition of the importance of early learning and child care in Manitoba, which will also improve quality and stability in the workforce.

This has been signed by Holly Cole, Siobhan Isleifson and Alanna Whitley and many other Manitobans.

* (14:40)

Dauphin Correctional Centre

Mr. Jamie Moses (St. Vital): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

(2) The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27, 2020, Manitoba's justice system was already more than 250 inmates over capacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This petition has been signed by many Manitobans.

Early Learning and Child-Care Programs

Ms. Lisa Naylor (Wolseley): I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

Early learning and child-care programs in Manitoba require increased funding to stabilize and support a system that is in jeopardy.

Licensed, not-for-profit early child care—sorry—licensed, not-for-profit early learning and child-care programs have received no new operating funding in over three years, while the cost of living has continued to increase annually.

High-quality licensed child care has a lasting positive impact on children's development. It's a fundamental need for Manitoba families and contributes to a strong economy.

The financial viability of these programs is in jeopardy if they cannot meet the fiscal responsibility of achieving a balanced budget as all operating expenses continue to increase.

The workforce shortage of trained early-childhood educators has continued to increase; quality child care is dependent on a workforce that is skilled and adequately remunerated.

Accessible, affordable and quality early learning and child-care programs must be available to all children and families in Manitoba.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to increase funding for licensed not-for-profit child-care programs in recognition of the importance of early learning and child care in Manitoba, which will also improve quality and stability in the workforce.

And this has been signed by many Manitobans.

Madam Speaker: The honourable member for St. James (Mr. Sala). The honourable member for St. James?

Dauphin Correctional Centre

Mr. Mintu Sandhu (The Maples): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

(2) The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27, 2020, Manitoba's justice system was already more than 250 inmates over capacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This has been signed by many Manitobans.

Mr. Mark Wasyliv (Fort Garry): I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this position—sorry—petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May of 2020.

(2) The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27, 2020, Manitoba's justice system was already more than 250 inmates overcapacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plans to build a new correctional and healing centre with an expanded courthouse in Dauphin.

And this has been signed by many Manitobans.

Madam Speaker: Are there any more petitions?

Mr. Matt Wiebe (Concordia): I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

(2) The DCC is the largest—is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27th, 2020, Manitoba's justice system was already more than 250 inmates overcapacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

And this petition, Madam Speaker, is signed by many Manitobans.

Madam Speaker: Grievances?

ORDERS OF THE DAY

GOVERNMENT BUSINESS

Hon. Blaine Pedersen (Acting Government House Leader): We would like to call report stage of Bill 4, The Retail Business Hours of Operation Act; followed by third reading of Bill 4, The Retail Business Hours of Operation Act; followed by third reading of Bill 42, The Remote Witnessing and Commissioning Act; followed by second reading of Bill 22, The Credit Unions and Caisses Populaires Amendment Act.

Madam Speaker: It has been announced that the House will consider report stage amendments on Bill 4, followed by concurrence and third reading of Bill 4, followed by third reading of Bill 42, to be followed by second reading of Bill 22.

REPORT STAGE AMENDMENTS

Bill 4—The Retail Business Hours of Operation Act (Various Acts Amended or Repealed)

Madam Speaker: Therefore I will recognize the honourable member for Tyndall Park (Ms. Lamoureux) on Bill 4, The Retail Business Hours of Operation Act (Various Acts Amended or Repealed), and I would call on the honourable member for Tyndall Park to move her report stage amendment—her first report stage amendment.

Ms. Cindy Lamoureux (Tyndall Park): I move, seconded by the honourable member for River Heights (Mr. Gerrard),

THAT Bill 4 be amended by replacing Clause 1(2) with the following:

1(2) The following is added after section 80 as part of Division 12 of Part 2:

RETAIL EMPLOYEES' RIGHT TO REFUSE TO WORK

Retail employees may refuse to work

81(1) Subject to subsection (6) and the regulations, an employee in a retail business establishment may refuse to work on a certain day if the employee gives the employer

- (a) at least 14 days' notice before the day; or
- (b) as much notice as is reasonable and practicable in the circumstances if the employee is scheduled to work less than 14 days before the day.

No changes to employment

81(2) An employer must not lay off or terminate the employment of an employee, or change the employee's working conditions or wage rate, because the employee, after giving the required notice, refuses or attempts to refuse to work in accordance with subsection (1).

* (14:50)

Exception

81(3) Subsection (2) does not apply if the employer lays off or terminates the employment of an employee, or changes the employee's working conditions or wage rate, for reasons unrelated to the employee refusing or attempting to refuse to work in accordance with subsection (1).

Right to file complaint

81(4) An employee who claims that they have been laid off or terminated or that their working conditions or wage rate has been changed contrary to subsection (2) may file a complaint with an officer under subsection 92.

Complaint to be filed within six months

81(5) A complaint must be filed within six months after the date of the alleged contravention.

Limitation

81(6) A person is not entitled under this section to refuse to work more than once a week.

Meaning of "retail business establishment"

81(7) In this section, "retail business establishment" has the same meaning as in *The Remembrance Day Act*.

Madam Speaker: It has been moved by the honourable member for Tyndall Park, seconded by the honourable member for River Heights, that Bill 4, The Retail Business Hours of Operation Act (Various Acts Amended or Repealed), be amended by—

Some Honourable Members: Dispense.

Madam Speaker: Dispense.

The amendment is in order. Debate can proceed.

Ms. Lamoureux: We support Bill 4 and what it aims to do, but we want to ensure that all laws that are introduced reflect our great province. Although this bill is not supposed to be about religion, by selecting Sunday as the day to refuse work, it does not reflect equality amongst Manitobans.

You know, Madam Speaker, the member from St. Boniface said the other day how we need to embrace the richness and diversity of what we have in this province and to be able to allow people to speak up and worship as they please and not have work interfere with that.

Madam Speaker, we believe people should have their right to be able to object, to stand up and to have their own holy days respected. This amendment would also provide protection for employees who need to take a day other than Sunday off, as long as they have provided 14 days' notice or as much notice as reasonable, dependent on the workplace, without having their wage or workplace conditions altered as a result.

If there is reason to believe that an employee's wage was cut or working conditions have—other than Sunday, a complaint can be filed within six—the alleged contravention.

Lastly, Madam Speaker, as also aligned with the bill, a person cannot, under this section, refuse to work more than once a week. I'm keeping my remarks short because I want to ensure that every member who wants to speak to these amendments have the opportunity to, and I'm also seeking leave right now of the House not to see the clock until this legislation has passed third reading today.

Madam Speaker: The member has asked that there be leave granted to not see the clock until this bill has passed concurrence and third reading.

Is there leave?

Some Honourable Members: No.

Madam Speaker: Leave has been denied. Leave has been denied.

Mr. Tom Lindsey (Flin Flon): I just want to put a couple of quick words that they seem like reasonable amendments.

Madam Speaker: Are there any further members wishing to speak on debate?

Is the House ready for the question?

An Honourable Member: Question.

Madam Speaker: The question before the House, then, is the first amendment moved by the honourable member for Tyndall Park (Ms. Lamoureux) on Bill 4.

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

Some Honourable Members: No.

Some Honourable Members: Yes.

Voice Vote

Madam Speaker: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Nays have it.

I declare the amendment lost.

* * *

Madam Speaker: Moving, then, to report stage amendment No. 2, being brought forward by the honourable member for Tyndall Park, on Bill 4.

Ms. Lamoureux: I move, seconded by the honourable member for River Heights (Mr. Gerrard),

THAT Bill 4 be amended in Clause 1(3) of the English version by striking out "on a Sunday" of the proposed clause 92(1)(b.1).

Madam Speaker: It has been moved by the honourable member for Tyndall Park, seconded by the honourable member for River Heights,

THAT Bill 4, The Retail Businesses Hours of Operation Act (Various Acts Amended or Repealed), be amended by—

Some Honourable Members: Dispense.

Madam Speaker: Dispense.

The amendment is in order. Debate can proceed.

Ms. Lamoureux: This amendment strikes out on a Sunday to reflect the amendment above. Again, we strongly believe that our diversity here in Manitoba means that there are days that people should be allowed—take off work non-consequently that do not fall on Sundays.

Thank you, Madam Speaker.

Mr. Lindsey: Once again, this seems like a reasonable amendment.

Thank you.

Madam Speaker: Are there any further members wishing to debate?

Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question, then, before the House is the second amendment to Bill 4, being brought forward by the honourable member for Tyndall Park.

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

Some Honourable Members: Yes.

Some Honourable Members: No.

Madam Speaker: I hear a no.

Voice Vote

Madam Speaker: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Nays have it.

I declare the amendment lost.

* * *

Madam Speaker: Now, moving forward to the third amendment being brought forward by the honourable member from Tyndall Park on Bill 4.

Ms. Lamoureux: I move, seconded by the honourable member for River Heights (Mr. Gerrard),

THAT Bill 4 be amended in Clause 6 by striking out "as if Remembrance Day were a Sunday" and substituting "in respect of such a refusal" in the proposed section 3.3.

Madam Speaker: It has been moved by the honourable member for Tyndall Park (Ms. Lamoureux), seconded by the honourable member for River Heights,

THAT Bill 4, The Retail Business Hours of Operation Act (Various Acts Amended or Repealed), be amended by—

An Honourable Member: Dispense.

Madam Speaker: Dispense.

The amendment is in order. Debate can proceed.

Ms. Lamoureux: This amendment, again, reflecting the amendments above, in the [*inaudible*] which reads, as if Remembrance Day was a Sunday.

Mr. Lindsey: Once again, it seems like a reasonable amendment.

Madam Speaker: Are there any further members wishing to debate the amendment?

If not, is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House, then, is the third amendment on Bill 4, moved by the honourable member for Tyndall Park.

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

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

Madam Speaker: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Nays have it.

I declare the amendment lost.

CONCURRENCE AND THIRD READINGS

Bill 4—The Retail Business Hours of Operation Act (Various Acts Amended or Repealed)

Madam Speaker: We will now move forward, as indicated earlier, to concurrence and third reading of Bill 4, The Retail Business Hours of Operation Act (Various Acts Amended or Repealed).

Hon. Scott Fielding (Minister of Finance): I move, seconded by the Minister for Crown Services, that Bill 4, The Retail Business Hours of Operation Act (Various Acts Amended or Repealed), reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Fielding: I'm pleased to rise again for third reading of Bill 4. The bill repeals The Retail Business Holiday Closing Act and The Shops Regulation Act to eliminate province-wide restrictions on holidays and Sunday shopping hours. These are changes that have been eagerly anticipated by Manitoba retailers for some time.

* (15:00)

In recent weeks, we have seen further calls to move the legislation forward expeditiously in order to help our retail businesses who have been negatively affected by the pandemic. Major business organizations like the Retail Council of Canada, the Manitoba Chambers of Commerce, the Winnipeg Chamber of Commerce, the Canadian Federation of Independent Business have requested that members of the House take swift action to pass Bill 4 in order to help retailers access additional revenues during the upcoming holiday season and, by extending allowable operation hours, assist retailers and shoppers in maintaining social distancing protocols.

We also heard from a number of presenters at committee who supported moving the legislation forward, and very appreciative of them coming out.

Madam Speaker, I'd like to thank the members of the House for heeding these calls in the retail community and support the passage of the bill here today.

Thank you very much.

Mr. Tom Lindsey (Flin Flon): Here we sit again today with a bill that's been put forward by the—this—

Madam Speaker: The honourable member for Flin Flon, sorry. We might be having some difficulty. Hang on one sec.

The honourable member for Flin Flon, could you please start again?

Mr. Lindsey: I'm saying, here we sit with another bill put forward by this government that had the opportunity to be a really good piece of legislation, had the opportunity to address a lot of issues. It had the opportunity to really be something that we could all stand up and be proud of. It had that opportunity, but, once again, this government has missed the boat. While they like to say we're all on the same team, clearly, that's not the case, as we see in legislation that they bring forward.

Now, this legislation allows a person, a worker, to refuse to work on a Sunday. And while the government says there's no religious connotation to that, and while we support the concept that working people need to have time to spend with their families, Sunday may not always be the day that working people want to spend with their families.

Mr. Doyle Pivniuk, Deputy Speaker, in the Chair

We have a very diverse makeup of our society now, that other days, other than the traditional Christian Sunday day of rest, may be important for Manitobans. So really, if this government wanted to say, we're all on the same team and we're all in this together and all their other little catchphrases that they use of late that really ring empty, hollow, when they bring forward legislation like this that misses the mark—it misses helping a lot of Manitobans.

I mean, they could have put forward a bill that everybody would have—everybody in the Chamber or everybody who should be in the Chamber, I guess, could have jumped up and said, wow, what a good thing this government did. They do grasp the concept that we're all in this together.

But, of course, while this particular piece of legislation will pass, because it's better than nothing, with most things, I encourage the government to really listen to what Manitobans are saying. Now, in this case, the minister, when he was making his remarks and answering questions at the early stages at the introduction of this bill, said that they'd consulted with labour.

And I know, I have actually consulted with labour, and while they are supportive of what's in this bill and think it will be not a bad thing for their

members, the one thing that really was missing was actual consultation—meaningful consultation—with those very folks.

So while they actually give their support to this bill, they would again urge the government to try to do things differently, to actually try to live up to some of their catchphrases and buzzwords and things of that nature, to actually be open and transparent, to actually sit down and talk to people.

Now, I know they've said they've had all these online consultations, which really aren't consultations at all. But the other interesting part about consultation is not just that they've heard what you said—which is hard enough with this government, to make them hear what you're saying, because they have their ideological earmuffs on most of the time that they can only hear, I guess, what their Premier (Mr. Pallister) says—but take those off every now and again and listen to what Manitobans are saying.

The consultation piece is important in that not only do you hear people, but you take into account what people have told you, what people have said, what people's concerns and interests are so that when you're drafting legislation such as this, perhaps maybe in the future you don't just draft the bare bones necessary to say, look at us, we've got a win, we've passed a piece of legislation that accomplished something, when in fact you could've drafted a piece of legislation that accomplished so much more.

So that's really the main issue that we have with this particular piece of legislation, is while it does guarantee a working Manitoban the right to refuse to work on a Sunday, if a working Manitoban needed a Saturday as opposed to a Sunday—maybe for child-care reasons, maybe if there's two people in the household that are working and one of them gets Saturday off and one gets Sunday off, maybe if one of them could have refused to work on a Saturday—again, not necessarily for religious reasons but just because that's the way their work schedules were—then they would be able to be home to spend time with the children that are out of school.

And I certainly appreciate businesses—particularly small businesses, local businesses—that want to see the shopping days extended so that they can be able to try and compete with online shopping that's certainly cut in a lot to local sales. And I appreciate that this will give some of those smaller local employers the opportunity to be open seven days a week, and I hope that they appreciate that not all of their employees need a Sunday.

So while the government itself came up short, I would urge local employers to really look at who your employees are, treat them with the dignity and respect that they deserve that they don't get from this government and recognize that some of them may want a day other than Sunday, recognize that some of them may want a day other than Remembrance Day—and, certainly, I appreciate the importance of Remembrance Day.

* (15:10)

I—my father was a veteran of World War II. I myself am a member of my local Legion branch, and I really appreciate what those veterans have done for us over the years with the sacrifices they've made. But again, there may be other days when workers would appreciate being able to be with their families, and as I said earlier in the second stage debate, maybe some folks want to be with their families on Thanksgiving, but they don't have that right with this particular piece of legislation.

So without trying to hammer it too hard, even though the government says that they've decided to allow people to have this right on a Sunday and there's no religious connotations attached to it, clearly there is. Their mindset is still the Christian concept of Sunday being a day of rest and that we should all conform. Certainly, there are many different religions and there are many people that have no particular religious affiliation, that have no particular religious beliefs, that Sunday carries no more meaning to them than Tuesday.

So I would've urged the government to be a little more expansive in what they considered for a day of rest for families. But really, I guess this is more than what I may have expected from this government because, for the most part, all they've done since they've been in power is attack working people and take away their rights and try and stifle their ability to stand up and speak for themselves.

And I guess, really and truly, with this piece of legislation, doing something for working people was really an unfortunate consequence of the government listening to business people and making sure that they tried to do something to accommodate them. And certainly we, on this side, support small-business people because we recognize that these small-business people employ our friends and neighbours.

So again, I would suggest that, you know, there could have been things that were included in this particular piece of the legislation that were not. It

really—if the government, if the minister is listening at all, I would suggest that they bring forward another bill that captures some of what we've talked about, and I realize they want to try and get this rushed through as quickly as possible so that small, local businesses will be able to stay open on Sundays and have extended shopping days coming into the holiday season.

So I don't think that we are going to stand in the way of this particular piece of legislation receiving royal assent and being allowed to pass prior to us rising at the end of this session—or this portion of this session, I guess. So, I suspect, barring some horribly unforeseen circumstances, that the government will get their wish and small businesses will get their wish to see this piece of legislation become law and allow businesses to act accordingly.

Again, it's a small step, I guess, in this government trying—and I'm sure they're not trying to come to any kind of understanding of the plight of working people in this province. If, in fact, they were to suddenly have that lightbulb go off and the idea come to them that, gee, maybe we should actually appreciate working people, and there's other pieces of legislation, like Bill 16, that they would immediately say, you know what, we're sorry, Manitoba workers; we're sorry for constantly, unremittingly, for the last four years, attacking you and attacking your rights.

This government, these ministers, have the opportunity to really show appreciation. I mean, we look at front-line workers—and that definition, really, of what a front-line worker is has expanded dramatically from what everyone's concept of what it was pre-pandemic. Front-line grocery store workers, who this bill will affect, have put their lives on the line every day of the week during this pandemic to go to work and to make sure that we could have food.

So, rather than a minister or the government standing up in the House or in front of a press camera and saying, oh, we really want to thank everybody, maybe they could actually show them thanks with things like ensuring they had paid sick leave, with things like ensuring that minimum wage was actually a living wage, with things like ensuring that unconstitutional bills, like their former Bill 28 that's been struck down by the courts, were actually withdrawn.

You know, they could show Manitoba workers, particularly at this time of year with so many of their religious faiths based around Christianity, give a Christmas present to workers in Manitoba and

actually give them some of those things that we're talking about here as a present, as a show of thanks, as a show of respect, as an acknowledgment that it's the working people of this province that make small businesses tick.

It's the working people of this province that make big businesses tick. It's the working people behind the scenes for the ministers, the civil servants, that really make them look like they have some big idea what they're talking about. It's those civil servants that this government has attacked with so many pieces of legislation.

*(15:20)

Now, this particular bill won't have a significant effect on those workers, other than allowing them the opportunity perhaps to shop on a Sunday, when a store may have already been closed. But really, working people in this province, whether they realize it or not, are on the same team—and always were and always will be on the same team. And it's not the team that this government chooses to be on. It's not the team that benefits from most things that this Pallister government puts forward.

Working people in this province, whether they're in the private sector or the public sector, are generally on the team that loses out with this government. And really and truly, this bill is no different. This bill, for many workers, will lose out because they only have the opportunity to refuse to work on a Sunday. They do not have the opportunity to choose what that day of rest may be or for what purpose that day of rest may be for.

So once again, while the government has brought in a piece of legislation that will benefit small-business people and allow workers in some of those businesses a bit of a right, I would strongly encourage all ministers, all backbenchers to really listen to working people in your constituencies, and I'm sure you all have them. Perhaps the Premier (Mr. Pallister) could step outside and speak to the people that are doing his lawn care and listen to what they have to say, rather than just listening to the people at the Manitoba Club.

So I know that working people, for example, in Dauphin, they weren't listened to, and when the jail was shut down and all those jobs were lost there. So while they may have the right to refuse to work on a Sunday, the member from Dauphin has allowed them to not have a job to go to and stood, at best, silent

while those jobs disappeared and perhaps, at worst, was on board with it.

So, you know, Mr. Deputy Speaker, every piece of legislation that the government brings in affects a lot of people and it affects different people differently, different classes of people differently, different groups of people differently, different segments of society differently. And it would be a challenge for all governments to take all those different points of view into being when crafting legislation.

Now, some governments are better at it than others. Certainly, any government can be better at it, but, in particular, this Pallister government really needs to be a whole lot better at it because they really need to recognize the importance of the people who keep the wheels turning.

I'm not sure whether the government considered—for example, did they go out and talk to bus drivers before this piece of legislation was passed? Did they realize that now maybe more bus drivers might have to work on different days of the week to reduce schedule on Sundays, may or may not be sufficient; maybe people won't have the ability to do what was initially envisioned by this piece of legislation because they can't get from point A to point B because the Sunday buses are reduced. So I don't know that the government really consulted with everybody that may be impacted by a piece of legislation like this, and that's the major downfall, I guess, is taking into account all the different perspectives.

So we sit here today and we've had any numbers of opportunities to comment on this piece of legislation as it's worked its way through the various steps and stages, and yet, the government hasn't listened to something that could be non-partisan; could have just been, well, here's an idea, or there's an idea. And certainly, many ideas have been proposed.

I know many of our members have made suggestions or made comments during their speeches on these various stages of the bill that would've made it a much better piece of legislation.

And this piece of legislation less—rests solely with the government of the day, rests solely with the Pallister government; and it rests solely with them that they had the opportunity to make it better and chose not to. They had the opportunity to make a piece of legislation that all of us would have been proud to say: we supported this piece of legislation; instead of people saying: well, we supported this piece of

legislation because we thought it was the best that we could hope for from this government.

And, really, I guess, that's it in a nutshell, is that's the best we can hope for. So, with those few words, Mr. Deputy Speaker, I'll turn the floor over to someone else who may have some comments on this piece of legislation that's the best we could hope for.

Thank you.

Mr. Deputy Speaker: The honourable member for Dawson Trail.

The honourable member for Dawson Trail's mic off, or is he speaking?

Mr. Bob Lagassé (Dawson Trail): Sorry, I'm back.

Mr. Deputy Speaker: The honourable member for Dawson Trail.

Mr. Lagassé: Thank you, Mr. Deputy Speaker. I'm honoured—

Mr. Deputy Speaker: Oh. If the member can put his mic on, like his headset, and with the—

Mr. Lagassé: —Mr. Deputy Speaker, public trust and confidence—

Mr. Deputy Speaker: The honourable member, if you can—

Order. Order. If the member for Dawson Trail can put his headset on? We can't hear you very well in the Chamber.

Mr. Lagassé: Okay. I'll try to get this to move over; one second here. Again, not sure if this is working, one second.

Mr. Deputy Speaker: Is it plugged in?

Mr. Lagassé: You might want to come back to me.

Mr. Deputy Speaker: Okay. Well, we'll come back to the member for Dawson Trail after.

We have next on—the honourable member for Fort Garry.

Mr. Mark Wasyliv (Fort Garry): Well, thank you, Mr. Deputy Speaker.

I very much would like to place some comments on the record in relation to this bill.

You weren't in the chair yesterday when I was speaking on the bill we're—up for debate yesterday, but I have similar concerns with this bill as I did with yesterday's bill; I'm concerned especially about many

of the bills that have come up for debate this week, and about how we make bills here generally.

* (15:30)

It seems that the government uses these bills as public relation exercises and is not concerned about getting things right. And I have some significant issues with that, because there are real problems here.

You know, maybe it doesn't matter so much how we got here and the reasons that we got here, but now that we're here, this bill has identified a real gap in our laws, a real problem that is needing attention and needs to be addressed. And this bill doesn't do that.

This bill is, at best, minor sort of tweaks to address a public relations problem, and it doesn't actually go to the root of the issues that are facing Manitobans, nor does it solve the issues behind this bill, and it needs to. Because this bill is important to many Manitobans.

From our discussions and from the substance of the bill, it's absolutely clear that there has been a lack of consultation with the ethnocultural and religious minorities in Manitoba. That clearly has not happened. They've clearly not had a voice. They clearly have not been consulted in this bill.

And I'm going to start my comments this afternoon quoting our Minister of Finance (Mr. Fielding): when this bill came up at second reading, he was trying to convince the House that this was not a religious day of rest bill. That this had nothing to do with religion.

Well, we have gone through the process of—a number of amendments were proposed. They were reasonable, although I don't think they went far enough. And the government paid no heed to them. We've already gone through hours of debate with this bill, and the NDP team have raised all kinds of issues.

And I appreciate the Pallister government is not reflective of Manitoba. It's not a diverse caucus, it doesn't look like Manitoba, it is a very sort of narrow demographic. And because of that, they may be very isolated as a government. They may not understand that there are people in Manitoba that don't look like them, don't practise faith like them and don't live their life like them. And, you know, they could be out of touch because of that and giving them the benefit of the doubt.

The problem comes is that, in this process, when it's pointed out to them the significant issues with this bill, and they still remain silent, and they won't budge,

and they won't even entertain any amendments to the bill, it really—at that point, it shows their true colours. It shows where their values are, who they value, what they value. And that is, of course, concerning for Manitobans, because what we're seeing here today is that they don't have a vision of a multicultural Manitoba. They do not have a vision of an inclusive Manitoba.

And this is why having diversity and representation in a caucus is so critical. And I hope someday that the Conservative Party gets there. I hope someday that they will start seeing the value in diversity, and that they will try to recruit candidates and Cabinet ministers that reflect that diversity.

But that day isn't today, and this piece of legislation is very much reflective of that.

So getting back to the minister's claim that this wasn't a religious day of rest bill. We have to go to the history of where we got to get this bill. And it goes back a long way, and the history here is important.

Sunday closure laws in Canada date back to—the federal government, they had the Lord's Day Act of 1907. And it decreed that the—Sunday was to be the day of rest. And there's no question that, back in its day, that was a religious bill.

Now, in 1907, in Canada, there were people from my background and my religion in this country. We were settlers. We certainly didn't have any power and I'm not certain if any Ukrainian Orthodox members of Parliament or MLAs existed. I suspect they didn't at that time, at sort of the tail end of the first wave of immigration.

But there were other religions present in Canada and other distinct creeds. They just had no political power and you saw, because they had no political power, the federal government felt very comfortable imposing the federal Lord's Day Act of 1907. And the culture in everything of Canada of those who were in power, that was just common sense. Of course, he would do that because everybody's just like us.

And this, you know, also, you know, changed the law that we now have two statutory holidays that are based in European western Christian tradition: the Good Friday, as well as Christmas Day. And again, I've, you know, said on other occasions, to those of us who don't celebrate those days on those days, you know, why are we privileging that one religion as opposed to many others? Why are those official stat holidays and not others?

Well, that question was asked in our Supreme Court in April of 1985 and a shop owner—a Jewish shop owner from Toronto—got to the Supreme Court and actually struck down the Lord's Day Act and it was found to be unconstitutional. And the ruling from our Supreme Court was that it effectively deprived non-Christians of fundamental rights and prevented non-Christians from opening their businesses on Sunday.

So that was one shoe that dropped. The second shoe that dropped was concerns from the labour movement that they didn't want their members basically having to work seven days a week, and they thought that if there was just open Sunday shopping that they—their members would not have a family day and they'd be forced to work and their quality of life would be very much prevented from developing.

And they had reason to fear that in 1985 because the previous law had been in place for 78 years and the custom, I imagine, before the law was very much the same—was even longer, so much so that the labour movement wasn't concerned about the religious implications. They simply wanted one day a week where they could guarantee that every single working person could have that day off and could spend it with their family.

So what happens after the Supreme Court decision? You have the Province of Manitoba stepping in and they entered the legislative void and they tried to create a compromise, which is the old act that's now under consideration to being varied. And they tried to balance, you know—and, again, it was in the context of 1985 Canada and that's critical when we have these discussions because 2020 Canada and Manitoba doesn't look like 1985 Manitoba in Canada.

So they tried to take into account the concerns of western European Christian religions and they tried to take the concerns of labour into account. So they restricted how big stores could be that could open and under what conditions. They restricted hours and then they also gave workers the right to refuse work and I think they thought that they somehow got the balance right. And maybe in 1985 that balance made sense, but that's not who we are today.

So, in 35 years later, we saw a massive changes in immigration into Manitoba—at least when the former NDP government was in power, people wanted to come to Manitoba. Now they're fleeing Manitoba but when—17 years of NDP government, people were coming to Manitoba in droves and they were from non-western European countries, and they were

bringing large minorities of newcomers who don't practise western-based Christian religions. So that was one significant change.

Second change: the Manitoba population became less religious. Those that had been here and settled here—I heard one statistic that, I think, only 5 per cent of Canadians regularly attend church and I think probably from—anecdotally, we all know that there's probably some truth to that statistic.

* (15:40)

You compare that to the United States, where, I think, almost 50 per cent of their population attends church regularly. You—it'll count for some of the different cultural distinctions between us.

So—and of course, we have freedom of religion in Canada, but that also means that we have freedom from religion. That we can't impose any religious beliefs on others, and the problem with this law, it does just that. It makes assumptions about a Manitoba that no longer exists. And that's a problem.

And then, of course, labour conditions have changed in 35 years. People now work all kinds of shifts, and they work precariously, and Sunday is no longer a universal day of rest for Manitoba workers. So this is a very complicated issue. This bill is not. This bill is really simplistic, and does not do justice to these very sensitive and nuanced issues.

So, I'll come back to how this bill came about, because it's pure cynical politics. And it's an absolute shame, because this is important. We need to spend the time to get this right, because, you know, it's still going to be a couple years before the NDP take the power and we can correct it. And for—until that happens, I mean, a lot of people will be hurt by this.

So, we know that there was the Food Fare entrepreneurs, they started conducting some acts of civil disobedience, these were non-Christian small-business owners who wanted to stay open and serve customers on Sunday. They also wanted to do so, I believe, on stat holidays as well. Which this law, interestingly enough, did not touch.

And, there was a recognition in the media and by Manitobans that the current law was absurd, and the same arguments that were before our Supreme Court in 1985 started being raised again publicly. And it was a fairness issue. Why would we impose these retail conditions based on religious reasons on somebody who doesn't practise that reason?

And it became embarrassing for this government. And they obviously wanted to be seen to do something, because as we know and as we've talked about a lot in this session, that this government has abandoned small business. And they've actually not only just abandoned, they've actually gone out of their way and done damage.

And you can drive down any street in Manitoba now and find empty storefronts, which are a monument to this government's neglect of small business.

And so they rushed this bill through. It's basically a minor tweak of the law. And it has two problems it had to deal with. Labour, obviously, wanted to keep the right to refuse work on Sunday exception, because that was a hard-fought exemption that they had won. And the government, I think, was worried about labour fighting them on this bill.

So they kept that exception, and to their credit, good on you for doing that, that was the right thing to do.

And then, of course, the government represents some number of southern Manitoba communities that have strong traditional religious communities. And they knew that they wouldn't be supportive of this. They knew that this bill would be against their values and, of course, that's their base.

So, again, this bill was slapped together and in those two constituencies, they tried to create this awkward compromise, and it has created further problems. It has made the situation worse.

So, to—as I'd already alluded, this bill does not reflect Manitoba today. It reflects a Canada that no longer exists. It's disrespectful.

You know, we talk about systemic bias here, that's where a government may even, and I give the government the benefit of the doubt, did not intentionally want to create a biased piece of legislation. And the bias in this legislation is it assumes that Sundays are everybody's day of rest. It assumes that Sundays are going to be held in some type of esteem, that people would have some type of belief that this was a special or important day.

But many Manitobans don't have that world view. And don't treat it that way.

But where it becomes concerning is that this government is now aware of this. And they have dug their heels in, and will not change the law.

So what does that tell you about this government and what they value? They know Manitobans are excluded from this bill. They know that certain Manitobans are going to have their world and their values privileged by this law, and by extension, those who fall outside this law, are being sent the message that their rights, their communities, their way of life is less valued by this government. And, apparently, this government's okay with that. Apparently, that's the message this government wants to send out to Manitobans who don't subscribe to a Western European Christian world view.

And that is deeply troubling that, in this day and age, that a government could—I don't even think it's obtuse—I think it's actually—there's some malice there, that they care so little about having an inclusive Manitoba. And I think we saw on the news recently, the member from Fort Richmond is putting out inappropriate holiday material. Again, you know, that member may not know any better, but you have people in your comms department that certainly do, and to have that kind of material go out there is deeply troubling.

The second problem here is downloading responsibilities to municipalities, and again, I imagine that's to try to appease sort of traditional conservative communities in southern Manitoba, who may be very upset by this change. And, of course, it's inconsistent because we have a government—has consistently been consolidating power and authority. We have democratically elected school boards that they're taking power away—that they're going to say, we're going to overrule democratically elected officials, and we're going to write your budget for you.

We see them interfering with the City of Winnipeg budgeting process, telling them you've got to do your accounting this way. Again, it's another democratically elected board. Democratically elected municipalities are losing their planning authority because this government thinks that they know better than local communities. And this is an exception. All of a sudden now, they believe in, you know, local community's view of things.

So, apparently, when it comes to 99 per cent of the decisions, local communities can't be trusted, but when it comes to shopping hours, then apparently, the values of the local communities are now going to be taken into account.

And why this is problematic here, in my respectful view, this is quasi-human rights legislation because we are talking about rights. We are talking

about somebody having the right to refuse because of essentially, a holy day, and to have observance for a holy day. And with this downloading of responsibility to municipalities, yes, that will help the Conservative Party deal with the political optics of this in your safe ridings where people are going to hate you for this, right? Yes, I get that. That solves the political problem that you currently have.

But the problem is with that, is you're now going to have a patchwork around Manitoba, where some communities will allow this and some communities won't. Well, what about the people that at-work in those communities that now don't have a right? What about the businesses in those communities that aren't now allowed to get open? And how can we justify that 40 minutes from Winnipeg they're not going to be allowed to do this, and then in 40 minutes away they are?

We need a level playing field for all individual rights in Manitoba, and we need a level playing field for all businesses in Manitoba. So instead of helping small businesses, in many ways this is going to hurt them, and this is going to be very problematic, and there's going to be conflicts. There's going to be litigation over this and this isn't the end. This isn't actually solving a problem; it's creating new problems.

And then, of course, this government is—does things by stealth, not only public relations, and so it's all subject to regulations, and they are going to create exceptions and regulations about when you can refuse work.

So this government gives with one hand and takes it away with another. And that's deeply troubling. What this government needs to do is be straight with Manitobans and say, here are the exceptions. They've had this bill on the books for a while.

You tell me that they don't know what the exceptions they have in mind? Well, they absolutely do know. They just don't want it to come to light now when it's in the public eye and we're debating it. They're going to pass these regulations when things have quieted down and people move onto the next big issue, and that's when this government is actually going to claw back the rights that they have now given to workers in Manitoba. And, you know, rights are rights, and there's very few exceptions to them, and if there are, they should be in the body of the bill, not hidden in regulations where they get less scrutiny.

* (15:50)

And then, of course, the other contradiction in this legislation is statutory holidays. The only one that you can refuse to work is Remembrance Day. Now—and I don't, you know, begrudge that; that's fine. But why shouldn't you be able to refuse work on any other statutory holiday? If you are a devout Christian, why do you have to work Good Friday? Why do you have to work Christmas Day? Why wouldn't we allow for exemptions on those days, but we allow exemption for Remembrance Day?

Now, you know, I would argue that those other holidays are more—more people are connected to them than, maybe, Remembrance Day. I had a father-in-law who served in World War II. He's now deceased, but that was a huge day in our household, and it's something that we observed, and he was not a religious man, and that was his Christmas. That was probably the most significant day of the year for him, and there would be a whole host of things that would happen, and it was incredibly important in the life of my partner's family, and we certainly celebrated it. So I don't begrudge that, but if we're being honest about these types of things, more people would have a connection to Good Friday or Christmas than they would Remembrance Day. So why is Remembrance Day privileged as opposed to other statutory holidays?

And what about other peoples' religious holidays that are just as significant to their culture, but they come from a minority, you know, much like Ukrainian Christmas or Malankara or a host of other types of holidays? You don't have the right to refuse. And that, you know, is a basic fairness issue, and I—this government, I don't think has thought this out and hasn't spent the time to think about it.

So it's telling that there really hasn't been any sort of introspection from this government or any attempt to say, hey, how do we make this bill better? They're just basically trying to get it through. And then somebody else will clean up the mess, of course.

So this world is changing, and the Pallister government is not changing with it. Unionized work environments allow for personal days, and they can use them for religious holidays or not, depending if you're religious. And it's a good way of doing things because if you aren't religious, why should only religious people get extra days off? If you're not religious, you should also have family days as well.

So, in a unionized environment, they just deal with this problem by calling them personal days. So why, under the employment standards act, if you're

not unionized, should you not get the benefit of that type of protection?

We know of other jurisdictions that have added statutory holidays to reflect large religious minorities. New York recently added two Islamic holidays where their schools are closed to better reflect the values of the community. And I think I've mentioned in previous debates, in Alberta where my cousins live, their winter break was different than Manitobans', and it took into account Ukrainian Christmas, so they wouldn't have to be in the school during that period of time.

So other jurisdictions seem to have managed this problem. And, of course, private business is dealing with this all the time. It's best practices in human resource policies to have religious accommodation policies. But, again, it's a patchwork. It's how big and sophisticated your employer is and how progressive it is.

So why wouldn't we attempt to accommodate non-unionized workers in the same way? Why wouldn't we want uniform laws? Why wouldn't we want all businesses playing by the same rules: no one is advantaged or disadvantaged, yet, again, because this government has no respect for small business, that's exactly what they're setting up here. And then why wouldn't all workers have the same rights, right? Why would some workers in some jurisdictions have better protection of the law than other workers in the neighbouring jurisdictions? It makes no sense.

So human rights law has evolved. There's now a duty to accommodate other religions in Canada, so this is an overarching legal concept in Canada. So why wouldn't we ensure that our laws are—comply with our human rights law, you know? And the government can't answer that question. And this has been a rushed, sloppy law.

So who's this going to hurt? Well, we know who this mainly affects, is hospitality and retail industries, shift work people who work precarious hours, some of our most vulnerable Manitobans. It's in industries that are dominated by women, industries that are dominated by newcomers, and industry that's dominated by students.

We're talking about the most marginalized and vulnerable groups in Manitoba, those that don't have sophisticated lobbies like the small business lobby or the labour lobby. We don't see the kind of huge organizations that have sophisticated lobby for ethno-cultural or religious minorities.

And so, you know, you get what you pay for, so to speak. Those are the organizations that we haven't heard from, that haven't been allowed to weigh in, and their concerns of the people that they represent clearly haven't been incorporated here.

And this is going to create them as second-class citizens in labour law, because if these people worked in a unionized workshop, that would be covered; they would be protected. They would have a duty to accommodate religions, but that's not what's happening here.

So, Mr. Deputy Speaker, the Minister of Finance (Mr. Fielding), in one of his let-them-eat-cake moments, probably one of his more out-of-touch and arrogant comments, is that, well, you know, if this is a problem here, they can just go to the Human Rights board.

Well, really? If you work a retail job, you're going to go to the Human Rights board and litigate something for seven years? And, you know—no. It's a crummy job; you're going to quit it, and you're going to move on to the next crummy job. And nothing will change.

And it puts the onus on vulnerable people in Manitoba to somehow have their rights recognized, as opposed to doing what's right and making sure that we acknowledge them as valued members of the Manitoba community, and that they're, you know, their cultures and their way of living are protected.

So, how do we improve this law? Well, you can drop the Sunday-only rule. There ought to be a right to refuse work for any religious observance, or simply non-religious observance for family time, and you can certainly put regulations in place to make sure it's workable.

You can allow people to refuse work on statutory holidays; it's shocking that we don't. And third, you can spell out, in advance, your regulations. This way we know what right you have and how good it is and what kind of exemptions are there. It's not something that should be hidden from the Manitoba people; it should be out front.

And then, finally, we need one law for all Manitobans in all parts of Manitoba. This is not a local issue. This is a quasi-human rights issue, and it's about respect of diversity in Manitoba and it's respect for Manitobans, and that's not something that changes from town to town or jurisdiction to jurisdiction. We're one people and we should have one law to protect all of us.

So, thank you again, Mr. Deputy Speaker, and those are the comments that I'd like to put on the record today.

Ms. Cindy Lamoureux (Tyndall Park): And I did just want to get a few comments on record here today. I also want to thank the members from Flin Flon and Fort Garry for their remarks to Bill 4.

We really do echo—the Manitoba Liberal Party—what they're saying with respect to Bill 4, and I want to thank them for supporting the amendments that I had brought forward earlier this afternoon. And, you know, it was incredibly disheartening and discouraging to have the government completely bypass them. It's almost a form of disrespect when we go out of our ways to create these amendments, based off the thoughts and concerns that have been shared with us from Manitobans about the bill.

And we then had them legislated; we had them created and crafted; we then bring them forward; we ask for leave to ensure that there's going to be time to debate these amendments, and then the government doesn't even put a word on the record about the amendments. It's very discouraging, it's very one-track minded, it's evident that it's one-track minded. And it's upsetting because we want what's best for the entire province of Manitoba and we know that this bill has a lot more potential than what it is currently doing.

* (16:00)

We believe that people should have the right to object, to stand up and have their own days, whether they're holy days, a holiday, days with the family. It's a chance to speak up for our diversity. It's a step forward.

I don't want to repeat what the other members have said, but they shared celebrations that are not as—they are not the majority of Manitobans' ways of practising, and I think of the example of the celebration of Diwali. We have Christmas day off from school; we have Christmas day off from work. How about Diwali? Why don't we start considering having national days off for that, or else having at least the right to book those days off?

Mr. Deputy Speaker, I do think that these additional amendments that I had brought forward—and just to really summarize them on record again, one amendment would provide protection for employees who would need to take a day other than Sunday off as long as they have provided 14 days notice or as much notice as reasonable, dependent on

workplace, without having their wage or workplace conditions altered as a result.

Another amendment is if there's reason to believe that an employee's wage was cut or working conditions have changed due to requesting a day off other than Sunday, a complaint can be filed within six months of the alleged contravention and just ensuring that people—I don't believe Manitobans would, but we want to make sure that no one takes advantage of this bill, so not doing that more than once a week, Mr. Deputy Speaker.

So, with those few words, there is a deep concern that this government denied leave. They're not willing to work, if it's an extra hour or extra two hours, whatever it may take, so everyone could actually voice their thoughts on these amendments. They voted them down without putting any comment on the record. Is very disappointing.

And I think back to when we had committee last week, Mr. Deputy Speaker, and we had Manitobans coming and sharing with us really important ideas that we should be discussing. And one that stands out to me was, what about Sunday transit? These ideas have not yet been talked about here in this House. We should be debating this. It's going to be affected with this legislation.

So, Mr. Deputy Speaker, again, I hope that the government will decide to include the amendments or call for further debate on this bill rather than being one-track minded.

Thank you, Mr. Deputy Speaker.

Mrs. Bernadette Smith (Point Douglas): I'm honoured to rise in the House and put some words on the record in regard to Bill 4, The Retail Business Hours of Operation Act.

This bill gives retail workers the right to refuse work on holidays and on Sundays. It also gives local governments, municipalities, the authority over retail business hours and days of operation.

This bill also amends The Liquor, Gaming and Cannabis Control Act; The Municipal Act; The Northern Affairs Act; The City of Winnipeg Charter; and The Retail Businesses Holiday Closing Act.

This bill also repeals The Shops Regulation Act; and The Retail Businesses Holiday Closing Act.

Deputy Speaker, we in the official opposition are glad that this government is finally taking an interest in the rights of Manitoba workers. Unfortunately, the

inexperience of the Premier (Mr. Pallister) and his ministers and the rest of the government are not advocating for workers, and it's shown in this bill.

Put simply, Deputy Speaker, nice try, but actions speak louder than words.

Let's talk about this government's record on workers. This government is known for cutting jobs, interfering in collective bargaining and unconstitutional freezing wages and forcing thousands to take unpaid days off.

Deputy Speaker, these are the very people that we would expect to be shopping on Sundays, but how are people supposed to shop and support the local economy when they have little to no income?

I do have some questions about this bill, and, you know, why Sunday? And only certain holidays? As I understand it, the spirit of this bill is that Manitobans should be able to take Sunday off without pay and not face retribution from their employer for doing so. Why is Sunday inherently more important than any other day?

Manitobans should be able to take any day that they see as—recognize as a religious day for themselves. We live in a diverse province, and why does this bill not state that, subject to regulations, an employee in a retail business establishment may refuse to work on a Wednesday or on a Saturday? Well, Deputy Speaker, what if a religious holiday or a group doesn't fall on a Sunday? Shouldn't these folks be able or be entitled to take whatever day it falls off on?

And the member from Tyndall Park just talked about Diwali. When I was teaching in the classroom, I had many students that were from that faith-based group, and we would celebrate at school. And there were many other holidays that students would take off from school or they would leave the classroom to go and pray. And we accepted and we acknowledged and we embraced that, you know, we live in a diverse culture and a diverse Manitoba, that we're afforded these things, that we're inclusive, that we support all denominations and all faiths in Manitoba.

And then we look at, you know, it falling—a religious holiday for a group that doesn't only fall on a Sunday. I grew up Catholic. My mom, you know, took us to church every Sunday and we went on different holidays. My father was Pentecostal, same thing; I would go with him to church—split the time between my mom and dad—and I would, you know, go

to church with him as well. I also embraced my Indigenous culture, and there's many different ceremonies and traditions that we recognize, that—you know, we have sundance, for instance, and that's four days where we go and we fast and we pray. And, you know, thankfully, I belonged to an employer that recognized those days and allowed me to take those days off so I can go and recognize those and celebrate and, you know, bring my prayers for my community forward.

And I think about, you know, my mother, you know, as she embraced her own Indigenous culture and started learning about herself as an Indigenous woman. She grew up in the residential school days and didn't grow up knowing her culture. She went to sundances and—as well, four days off of work, and her employer was able to give her that.

So I think about, you know, the different folks and different—from different religious backgrounds that aren't included in this bill and that Sunday is the only day that they can take off without, you know, possibly losing their job and, you know, or religious days of recognizing don't only fall on a Sunday and they aren't recognized in our calendar as stat holidays.

Why doesn't this bill not state that, subject to regulations, an employee in a retail business establishment may refuse to work on a Wednesday or a Sunday? Like I said, if their, you know, religious holiday falls on a different day, they're—you know, this doesn't cover them. If they have a great employer, their employer may choose to allow them to take that day off, but, you know, sometimes employers are, you know, understaffed.

We saw that at Main Street Project's detox centre two weeks ago. Many staff were sick. They had to close their detox centre. And they were trying to get staff in. And if someone's, you know, recognizing a religious holiday and they want to—you know, the staff are being called in and they refuse to come in, could they be fired? You know, so we need to make sure that workers are protected in this province.

* (16:10)

We have a government right now that doesn't respect workers. They continually, you know, cut jobs in this province. They continually underfund organizations that are supporting people on the front lines that are putting their lives on the line every day in this global pandemic that we find ourselves in.

And now, certainly, Deputy Speaker, it's true that the decades of attacks on unions by both federal and

provincial Conservative governments have left low-income Manitobans in difficult spots. Those who are—who work non-union retail jobs often work two or more jobs just to make it and can find it extremely hard to find a full-time job, to rest and to have a personal life. So important that we have legislation that ensures dignity and a good quality of life for workers of any background or economic status.

However, I question whether this bill truly has anything to do with supporting workers. If this bill is about allowing Manitoban workers the rest that they need and deserve, why not allow Manitobans to take off any day in a week? Why just Sunday? Setting this policy this way would actually make life—or, would actually make things easier on small businesses. If employees are spreading the days they take off throughout the week—or through the week, it would mean that a small business would be able to operate seven days a week, instead of potentially being forced to close on Sunday, Deputy Speaker.

Personally, I have a theory about the true motivation behind this bill. I don't think it's coincidental that the day of the week chosen for rest by this bill happens to be on a holy day for most Christians. There is, of course, nothing wrong with Christians, and I told you my father was from a Pentecostal background. My mom's from a Catholic background, and, you know, I recognize and support many faiths.

As a teacher, I had so many diverse students that, you know, taught me so much about where they came from, who they were, you know, what they celebrated about their religion, their families, even food. Every month we would have a pot luck where we would share our different ethnic foods, and we would talk about, you know, making those foods with our families and, you know, the different spices and things that were used in them.

So we need to, you know, broaden this bill, Deputy Speaker, so that it's encompassing of everyone in our province. And the member from Fort Garry said it so elegantly, you know, this government doesn't reflect Manitobans. You have a very diverse population in Manitoba, but very little diversity on that side of the House. And, you know, when you think about how you make laws in this province, it needs to include those diverse voices. And, certainly, on this side of the House, we, you know, we have lots of diversity, lots of voices, lots of perspectives and so much respect for each other that, you know, we challenge this government to, you know, make legislation that's actually going to be encompassing of

all Manitobans and not just some. And this bill, really, is only about some and not about all.

So, you know, I would challenge, you know, our government on the other side to stand up, to stand up to your Premier (Mr. Pallister), stand up to your boss, have a voice and start talking about the diversity in our province.

You represent diverse constituencies, people from all ethnic groups and all religious backgrounds, and they need a government that's going to have their back and have their voice and bring it forward and not be silent.

So when we're talking about this bill, this is about, you know, recognizing the diversity and allowing there to be place and space for those different religions so that if their religious holiday doesn't fall on a Sunday, that they can take that off—or it doesn't fall on Remembrance Day. We have such a rich, amazing, you know, province, with so many people that bring so much richness and beauty and ethnicity to this great, you know, place, that many of us have never left. I've gone and visited but I've, you know, always come back to Manitoba.

So, I want to get back to that theory and talking about, you know, that there's nothing wrong with recognizing Sunday, if that's the day that you recognize as a day of rest. Great. You should be able to take that off. But other ethnic groups should be able to take off whatever day it is that they recognize and whatever faith that they come from. And certainly there's a lack of respect on that side, when you're bringing forward a bill that excludes so many Manitobans.

So, I just want to say miigwech for allowing me to put a few words on the record, and again, this bill doesn't go far enough. We had—we have a diverse province that we need to recognize every single day of recognition that all of the diversities bring.

So, miigwech, Deputy Speaker.

Mr. Jamie Moses (St. Vital): I'm happy to be speaking about this bill this afternoon and I do want to just take a minute to thank the previous speakers before me, including those from—the member from Tyndall Park for bringing forward her amendments to the bill. And I think that those were wise amendments just because it shows the real lack of this government's imagination.

And the reason I say imagination is because I think that they can't—they don't have the ability to see

the world from other people's views. They don't have that imagination to really understand what it's like for other folks who maybe don't have the same type of background or religion or cultural influences that would show them that this bill has some major holes in it—some major flaws.

Madam Speaker in the Chair

Bill 4 is set up to be a successful bill that might be appropriate for Manitoba, not even 20 years ago, more like 30 or 40 years ago—and is something that really has only the best interests of a small portion of Manitobans: the ones who may be practising a religion that takes place primarily on a Sunday.

Now, I myself, I, you know, practise—Christian faith and so I understand the interest in having Sunday as the day to provide folks with having a day of rest. But that is not lost on me that that practice is not shared by many, many Manitobans. And as we sit in this House and this Chamber, it's our jobs to be considering the best interests of all Manitobans, not just the select few that have the ear of the minister—all Manitobans.

And I wasn't—I was going to start on a different area, but I do want to just touch off of a—comments that were made by the member for Point Douglas (Mrs. Smith). And she wisely said that—questioned individuals who work retail, whether they really have that ability to take a day of rest—whether it's here or whether their employer, you know, kind of has allowed that day of rest, can they really afford it?

Think about that. If you're working retail and that's your only source of income, how can you afford to take a day of rest? The government hasn't raised minimum wage to a sufficient amount for people who are working solely retail—solely want a retail job—to frankly take a day of rest. So this bill is, frankly, set up for those folks—setting those folks up for failure.

And let me just present a few numbers here to illustrate my point. And so if we, you know, even just take the standard 40-hour work week, which we're all familiar with, and you apply that to the current minimum wage that this government sees fit, at \$11.65, if we look at that and we're saying, how much is that going to get a person, an individual in a month? Well, it comes out to, you know, just over \$1,800 in a month in a—based on a 40-hour work week.

* (16:20)

Now, the CTV reported in January of this year that the average rent for two-bedroom apartment in

our—in Winnipeg, the average rent is \$1,200 a month—\$1,200 a month. A person who's working minimum wage, 40 hours a week is only earning 18—just over \$1,800.

Now, you can't say that someone should be paying over 60 per cent—almost two thirds of the entire wage—to go to housing, and that they can afford to take a day off for rest. This is completely an—completely set up for failure for those folks. They don't make—on so many fronts.

First of all, housing is so expensive for these individuals. Second of all, they don't make enough on minimum wage. Third, the demand for these retail jobs make it so difficult for them to often get enough hours, they have to take multiple jobs at multiple locations working retail.

And now, you propose and present this bill to Manitobans as if you're helping them, but then you don't give them any ability to actually afford to take a day off with rest. That's goes—that's not even considering that Sunday probably isn't the right day to mandate for everyone to have a day of rest.

So there's so many areas where we would wish this bill to be made better. And I'm very thankful for my colleagues previously—Fort Garry and Flin Flon and—for illustrating many of the very accurate points of where this bill is—should be made better.

And when I think about, you know, I mentioned this in previous debates in the Chamber in regards to, you know, the landscape that we're in, the landscape that we all see ourselves in and, you know, a word that stuck in my head from the debate from our member from Flin Flon was—is this—this bill is, you know, maybe just good enough.

Is it just good enough? It's not a great bill, we know that, but it might be just good enough. And that is so disappointing to see from this government, to put forward bills that are just good enough, you know. We are in a landscape where we should demand of ourselves a higher standard and a higher standard for our legislation that represents all of Manitoba's interests.

We know that Manitobans are calling out for legislators that are truly interested in providing a full perspective of the interests of Manitobans from all walks of life, whether it's those from Indigenous people, First Nations; whether it's from settlers here who've been here for multiple generations; or whether it's from newcomers or first- or second-generation Manitobans from a variety of places around the world,

who have so many interests, so many cultural differences and so many religious practices.

And to present a bill in 2020 not just knowing full well the variety and the cultural difference and the religious differences, but also being full aware that folks are really looking for more from their politicians and more from legislators, to provide bills and provide laws that are truly reflective of the best interests of Manitobans.

Sadly, again, we don't see that from Bill 4.

And I do just want to just share a story in the—in a few minutes here. And this story is really talking about the cultural aspect and the cultural impact that this bill will have.

You know, imagine yourself as a newcomer to our city here, you know, trying to get your feet grounded in our new culture. And, you know, your religious practice and—you know, Sunday isn't the same day for your religion, and you're trying to practise your religion, whether it's on a Friday or a Saturday or another day of the week. And you have to work on those days.

So every time you want to practise your religion, express your culture, your heritage, you know, learn about it and be able to share some of that with your kids to keep those traditions alive in your family as you settle into the new country here, imagine being told you have to work on those days, but yet, on a Sunday, you have to stay at home.

Well, what does that Sunday really mean to you? And is it telling you—is it a soft, subliminal way of telling you that your culture isn't welcome here? Is it a way of telling you that your religion isn't important here? Is it a way of telling newcomers that you better change some ways about your culture and your tradition so that you can fit in here? Is that what it's doing? Because that is what it seems like. It seems like the impact is—the impact of this is to strip some cultural practices away from folks who don't use Sunday as a day to rest and practise any religious activities.

And, Madam Speaker, you know, even from my own background and history, you know, being the son of immigrants from Trinidad and Tobago, you know, their culture and history is deep and rich in that country, but we all know that, you know, there were people brought over from African nations to work as slaves into the Caribbean and, you know, across the Americas, and while those folks mixed over the generations with Europeans as well as with

Indigenous folks, and that makes up, today, the population of Caribbean nations.

Now, let me tell you about some of those experiences so that—you know, I obviously know that some of my history and my family heritage would have stemmed from an African nation, but I don't have knowledge of the practices of—religious practices of those of my ancestors from many generations ago. Why is that? It's because they were stripped away. They were stripped away through laws and regulations by the people who were in charge; they were, you know, deemed as not fit, not proper, they shouldn't be done and people had to conform to a new way of life, a new religion, a new practice.

And I have no doubt that Indigenous people—and I know for a fact that, sadly, Indigenous people here in Manitoba and across Canada suffered some of those same instances. And this bill, while admittedly on a smaller scale, does the same thing. Bill 4 does the same thing; it tells the same immigrant, the same newcomer, that their different religious practice isn't quite the standard, the norm; it isn't quite what we expect of Manitobans, because we're setting a law up to have preference for Sundays.

And so it's certainly something that the government needs to consider. And it's not like this bill has actually passed; there is still time for the minister and his team to see the error of their ways. You know, I'm an optimistic person and I think that there's always time to change and be made better. And so I would encourage the minister to heed the words that's been said here today—and not just by myself, but by—the elegant words of speakers before me that have outlined the importance of fairness and outlined the importance of showing support for a variety of people and folks' background.

There has been no shortage—certainly over the last year, certainly over the last year—of a—of kind of a cultural awakening. And I can even go back a few years ago, when we had awakening when it came to, you know, genders and the #MeToo movement. This year we had quite an awakening with seeing—witnessing police brutality and the Black Lives Matter movement, and, you know, it can't go unnoticed, the COVID-19 pandemic and how it's highlighted some of the economic inequalities in our society, how it's highlighted the challenges facing people to get health care.

* (16:30)

And when it comes to Bill 4, this will, again, show that there's differences among the—among people here who are trying to access equal services or practise their religion equally.

All these—what I've just been mentioning, has and should, really, be a wake-up call for individuals around the world, and especially those in leadership positions who are faced with making decisions on how our society should be behaving and what laws are going to—we're going to call as part of our, you know, culture in Manitoba. And they should be written, informed, by what is going on in our time. And right now, our time, our generation, is calling for fairness, is calling for legislation that treats all of us—all of us—with the same dignity and respect that we all deserve.

And Bill 4, you know, takes steps in the right direction. It might be good enough, but we should really be looking for ways to make it great. And truly, having a set day like a Sunday to have as a day of rest marginalizes folks who don't deserve that and, frankly, marginalizes folks who are often the ones who are working retail hours and retail jobs.

You know, I'm interested in finding out if the minister actually looked and found out the—whether there are any stats on the number—on the retail workers—stats on retail workers to see what background they're from or what religions they might practise, to see how many and what per cent are interested in having Sunday as a day of rest and are interested in having perhaps other days of rest. You know, I didn't hear those figures or stats from the minister, and maybe that's because he hasn't done that consultation work with those cultural groups. I suspect that is—unless he did and chose not to present it because the numbers and the findings were not to his advantage. But, irregardless of that, it's important to know that many individuals, you know, have—are looking for other days to have off.

I will move on just to another aspect and talk a little bit about, again, about stressing that Bill 4 doesn't have enough consideration for the rest of Manitobans who are looking for a variety of, you know, of religious days off. And, you know, going back into history of, you know, why Sunday was the day that was, you know, particularly chosen, chosen to have this day off, I think it's important to know that just because this has been a day that historically had been—has historically been the day off for folks, doesn't mean that we have to continue to do it in the future. We can choose a better path. We can choose a

better way for Manitobans to go about and make our province more equal.

And finally I'll say that, you know, we have the opportunity to do that, and I hope, I sincerely hope, that we take this opportunity to re-examine Bill 4, but also all of our other bills coming up to ensure that they are going to be in the best practice and in the best—truly the best interests for all Manitobans, especially minorities who are seeking even more out of their government.

Thank you very much, Madam Speaker, for the time this afternoon.

An Honourable Member: Madam Speaker, I rise on a matter of privilege.

MATTER OF PRIVILEGE

Madam Speaker: The honourable member for St. James, on a matter of privilege.

Mr. Adrien Sala (St. James): I wish to table the following documents, and I want to emphasize what's at stake with my matter of privilege.

Can an MLA ask questions in this House of the government without intimidation? That is what my matter of privilege concerns, and that is why this matter is very serious.

There are two conditions of a matter of privilege. The first is that the matter is raised at the earliest opportunity. The second is that evidence is provided that there has been a breach of the privileges of this House.

I will address the second condition first. There has been a breach of my privileges as an MLA. In particular, through an attempt to intimidate me as an MLA, my freedom of speech has been undermined.

Parliamentary privilege, as Erskine May notes, are those rights without which members of the House could not discharge their functions. Freedom of speech is the most important of those privileges. As Bosc and Gagnon state, by far the most important right accorded to members of the House is the exercise of freedom of speech in parliamentary proceedings. It has been described as a fundamental right, without which they would be hampered in the performance of their duties. It permits them to speak in the House without inhibition, to refer to any matter or express any opinion as they see fit, to say what they feel needs to be said in the furtherance of the national interest and the aspirations of their constituents.

The House of Commons special committee on rights and immunities of members stated that the purpose of privilege was to allow members of the House of Commons to carry out their duties as representatives of the electorate without undue interference.

I take my job seriously, Madam Speaker. I am committed to representing the people of my constituency. I am committed to making sure I discharge my duties to hold this government to account. These are sacred duties. I'm dedicated to doing this job to the best of my ability, and I'm dedicated to representing every single person who lives in the constituency of St. James.

That is my duty, and I will fulfill it. But the ability to fulfill my duties as an MLA have been improperly and seriously interfered with. I have been the subject of an attempt to intimidate me in order to stop me from performing my duties in the House. There has been an attempt on the part of high-ranking officials of the Pallister government to stop me from doing my job.

I have deliberated long and hard about the most appropriate response to this tactic. I feel I must stand up and speak up, because it represents an attack on the most important ability of an MLA: to speak truth to power and to ask questions in this Chamber.

These are the facts, Madam Speaker. In early October, the secretary of the Treasury Board, Paul Beauregard, lodged a complaint against me under the Legislative Assembly's respectful workplace policy. He alleged I failed to display respectful behaviour toward him, that I harassed and bullied him, that I offended and embarrassed him and acted in a way that reflects negatively on this Legislature by asking questions of the government and the Premier (Mr. Pallister) in the Legislature.

Those are his allegations. Mr. Beauregard said my questions in question period in this House to the Premier, and my writing to an independent officer of the Legislature, the Auditor General, about the government's actions, bullied him.

Mr. Beauregard stated my claims about government and the Premier's interference with Manitoba Hydro that led Hydro to not bid on government contracts was harassment.

Mr. Beauregard says I spoke with media about my concerns regarding the government and the Premier's directives to Manitoba Hydro to not participate in government contracts. And he asserts that was wrong.

These claims are the basis for his complaint that I bullied and harassed him by asking questions of the government in this House. Mr. Beauregard has demanded I stop my questions of the government in this House on this issue. He has demanded his complaint be kept confidential, that a cloak of secrecy be placed on this entire matter. He demanded that I not speak about any of these issues in any place because of his complaint.

All of these demands were made under threat of sanction to me.

I have never met Mr. Beauregard, nor discussed any of these issues with him. But it is true I have spoken to the media, spoken with the Auditor General and asked the Premier (Mr. Pallister) questions in this House. I have asked the government questions about Mr. Beauregard's involvement with Hydro, because it is my job.

* (16:40)

In 2017, the Premier of our province, in response to questions raised by the Leader of the Official Opposition (Mr. Kinew), said, in proceedings of this House, Mr. Beauregard had recused himself from all decisions and decision-making processes regarding Bell MTS, contradicting the Premier.

Through our research, we have discovered that this statement is false. Mr. Beauregard interfered with Manitoba Hydro, leading them to not participate in an RFP process for an important Manitoba government contract.

That contract was awarded to Mr. Beauregard's former employer, Bell MTS.

I have asked questions about this issue and the appearance of a conflict of interest that it raises because I am voicing the concerns of the Manitobans I represent.

What's more, when I pressed my questioning further in this Chamber in October, Mr. Beauregard made a new complaint. He said I was engaging in retaliation and reprisal. He claimed the fact I continued to question the government about its actions was a further and separate breach of the respectful workplace policy.

What's more, Mr. Beauregard demanded again that this complaint be kept confidential and that I not be allowed to talk about this matter in any way, even if my questions on this matter were to the Premier.

This process Mr. Beauregard has used against me has been difficult. It has inhibited me from doing my job. Lawyers have been engaged to interrogate me regarding Mr. Beauregard's complaints. I've been demanded to provide statements that would reveal which persons may or may not have been—given information to us regarding the government's relationship with Manitoba Hydro. Revealing this information could threaten people's jobs.

I've been demanded to provide information as to what journalists we may or may not have spoken with, as they published details of the government's interference in Hydro. Revealing this information would undermine the ability of the media to do their job. It is an attack on the work of a free press.

I've been demanded to reveal discussions with independent officers of the Legislature regarding our concerns about interference in Manitoba Hydro, conflicts of interest and contracts being awarded to Bell MTS. Revealing this information would violate the independence of these offices.

I've been demanded to produce documents regarding our research into the government's interference in Manitoba Hydro International. Revealing this information would compromise our role as an opposition and the ability to do our job.

These lawyers have further demanded that non-disclosure agreements be signed as part of this process, in order for it be kept secret. These demands were made all in secret, and Mr. Beauregard demanded these facts be kept secret under threat of sanction to me.

This process has moved from an inquiry to an inquisition, Madam Speaker.

It is often said that sunlight is the best disinfectant, and this applies to our democracy, as well.

A high-ranking official of this government has abused an important policy. The respectful workplace policy was created to protect people who are vulnerable to abuse and harassment. I have great respect for the processes associated with our respectful workplace policy. I respect the reasons for which it came to be and the people it protects. I respect that complaints should be kept confidential. That is an important part of the policy.

That is why I have deliberated long and hard on how to properly address this matter. *[interjection]*

Madam Speaker: Order.

Mr. Sala: I take this step to reveal this complaint seriously. I only reveal it because I view it necessary to stop this government's improper attempt to silence me from asking questions in this Chamber. I reveal this complaint because the complaint and the demand for confidentiality is being used to try and intimidate me and stop me from doing my job. It represents a corruption of an important process to try and silence a political opponent.

I hope by raising this matter, the policy can be improved so that it won't be abused in this matter again, so that it will not be used to try and stop a member from exercising their rights in this Chamber to hold the government to account.

Democracy suffers and withers when the government can use its power to abuse important and real protections, to stifle dissent and debate, to hide its actions from the public and to silence critics.

Madam Speaker, I ask that my ability to do my job free from an intimidation and attack by senior officials of the Pallister government be protected. I ask that I not be threatened with sanction if I ask questions about the government's actions. I ask for this House to affirm that when an MLA asks the government questions, they will not be dragged before lawyers who will demand they reveal information: who gave it to them, when they spoke with media, and what they said.

These tactics are a breach of my privileges of members in this Chamber. I cannot emphasize how serious a matter this is and how important it is for you to uphold my rights as an MLA.

If my privileges were not upheld, if this process was allowed to continue, then MLAs could not be free to ask questions of the government in this Chamber. Any time the government did not like a line of questioning, they could use this process to try and intimidate a member to stop them from speaking up.

As I noted above, freedom of speech is the most important privilege members have. It permits members to speak in the House without inhibition, to refer to any matter or express any opinion as they see fit, to say what they feel needs to be said in the furtherance of the national interest and the aspirations of their constituents.

I should be able to represent the concerns of my constituents about the future of Hydro. I should be able to voice my constituents' concerns regarding the government's undermining of the affordability of Hydro rates without fear of intimidation. I should be

able to speak about my constituents' concerns regarding the government's plans for privatisation of subsidiaries without fear of being slapped with a baseless complaint. I should be able to voice my constituents' concerns regarding whether or not Hydro will remain publicly owned and operated without fear of attack by this government.

With respect to the first condition of a matter of privilege, Bosc and Gagnon, House of Commons Procedure and Practice, third edition, advises on page 145: The matter of privilege to be raised in the House must have recently occurred and must call for immediate action of the House. On the same page, Bosc and Gagnon state that the member must satisfy the Speaker that he or she is bringing the matter to the attention of the House as soon as practical after becoming aware of the situation.

This matter recently occurred and demands immediate action. As recently as last week, I have been engaged by this process and it remains ongoing. I have raised this matter in the most immediate and responsible way I can, after much research, deliberation and consultation. This matter is unprecedented and such an abuse of a policy of the Legislative Assembly in order to intimidate a member has never taken place in this Chamber before. It required significant research, significant deliberation and consultation and significant examination of the authorities in order to be properly presented in this House.

As a result, I move, seconded by the member for Fort Rouge (Mr. Kinew), that this matter be immediately referred to a special committee of this House so the privileges of all members may be respected and the government be properly held to account. *[interjection]*

Madam Speaker: Order.

Before recognizing any other members to speak, I would remind the House that remarks at this time by honourable members are limited to strictly relevant comments about whether the alleged matter of privilege has been raised at the earliest opportunity and whether a prima facie case has been established.

Hon. Kelvin Goertzen (Government House Leader): On the two issues that you caution us that need to be addressed and raised to the bar of a matter of privilege, the member himself acknowledges that he was aware of his concerns for several days going back to last week and he didn't raise it at the earliest opportunity, Madam Speaker, so it fails on the most

basic test: whether or not it was raised at the earliest opportunity.

But more to the *prima facie* case, Madam Speaker, whether or not members' rights have been violated and his inability to speak to matters in this House. We all have a responsibility as politicians to carry out our affairs in a responsible way, but we also recognize that, as politicians, we are subject to our own back and forth and to our own allegations, sometimes such as they are, and we have the unique opportunity to have privilege in this House. That privilege shouldn't be abused. I think we all want to be treated respectfully and want to be treated in a forthright and an honest way, even though we are granted privilege in this House.

* (16:50)

When we talk about civil servants, Madam Speaker, I think that there is a greater onus upon us to be respectful because, while they are part of the process that we are all engaged in, they are not necessarily part of that political process that we are engaged in. We signed up for a political process.

The public servants who serve all of us—and not just us as government but, by extension, the members of the opposition and the independent members—have signed up to serve all Manitobans, Madam Speaker. Even though they might report directly to the government, they are public servants of all Manitobans, and I think that we have to recognize that and treat them with a different level of respect.

The individual that's the subject of the member's matter of privilege is not only well respected in the private sector but now—of course, not that he needed to do it, Madam Speaker, for sustenance and for a living, but because he wanted to help out Manitoba—took on the job that he has taken on, and he's taken it on admirably and with the full force and effect of his knowledge.

And whether the member might argue that he has some sort of privilege granted to him in this House to slag or somehow or otherwise drag a civil servant, a public servant, through the mud because of that privilege, is something I know that you'll take under consideration, but I don't think it passes the test of what we should lift ourselves up to and what our own standards should be when it comes to the civil servants.

We've all said things about each other in here as politicians, and we've probably gone home and regretted and said—thought we shouldn't have said it. I

know I've done that, and I've sometimes reached out and apologized to members because I think I've gone too far. That is the nature sometimes of politics and partisan politics, but it's different when it comes to civil servants, Madam Speaker.

We have to treat them in a different way. They are not partisan. They—not there, signed up to try to represent a political party or a political position, they're here to represent all Manitobans, and that is certainly true when it comes to the individual who is the subject of this matter of privilege.

And so I would ask the member, right, to really consider that, you know, the type of attacks that he's putting on the record, Madam Speaker—one thing when it comes in a partisan way, between politicians. We may not like that, but we also, kind of, know what we're signing up for. It's different when it comes to civil servants.

The civil servant that is referenced here, Mr. Beauregard, of course, has a long history both in the private sector—and a distinguished history in the private sector, and has come to serve Manitobans because he believes he has value—and he does have value—to add to the civil service.

And whether or not the member opposite thinks he should be protected by parliamentary privilege, I would ask him to look a bit beyond that, and whether or not it is the right thing to do to try to—and you'll determine whether or not the parliamentary privilege extends to him in this case—whether or not it is the right thing to do to try to take on somebody with a distinguished career who is trying to help out not just Manitoba but all Manitobans, Madam Speaker.

And I think that that's something that the member opposite—who's a relatively new member, but I—who I have respect for—needs to consider himself, whether or not it is the right thing to do to take on someone who is here to serve all Manitobans, in a partisan way and whether or not that does him service, or whether or not that does Manitobans service.

So I would certainly ask you to consider that, but also to look at the context of the member's remarks. There, yes, there is parliamentary privilege when it comes to this Assembly and it extends to the committee rooms, Madam Speaker, but that doesn't mean that politicians can't be held to account for the different things that they say in other forums.

There's many examples, Madam Speaker, where a politician speaking outside of this Assembly or speaking outside of a committee room by which

parliamentary privilege extends to, have been held accountable in many different ways—legally and otherwise—for the words and the actions that they take.

The member should know that the parliamentary privilege doesn't extend to him, by virtue of being a member, everywhere he goes. He has accountability for the things that he says outside of this Chamber and outside of a committee room, and that would be true for whatever he says about anybody.

And so parliamentary privilege is not limitless in terms of the bounds of where it can be extended to. So he has responsibilities there as well.

So I would say to him that he has, I think, two responsibilities—well, three.

One is to meet the technical aspect of a matter of privilege, which I don't think he's done on the first or the second instance, but second, he has a responsibility as a legislator to realize that our civil servants are there to work in an impartial way for all Manitobans, not just for us as government, Madam Speaker, for all of us as legislators and all Manitobans, and I think they should be respected in that way.

But then, beyond that, he has a responsibility to know that the things that he says, or the actions that he takes beyond this Chamber are actions that he alone have to be accountable for without the protections such as provided by parliamentary privilege and the hundreds of years of privilege rules that have extended to us in this unique position.

Because with those responsibilities, or with those—with that privilege comes responsibilities.

I think there is an inherent responsibility for us as legislators to act in a certain way when we've been given that parliamentary privilege, but when he leaves this Chamber, or in—says things in different forms, he is devoid of those parliamentary privileges, but he still carries the responsibility.

You may not have the protection, but you should still act in a responsible way, particularly when you're speaking about public servants, Madam Speaker, because they've signed up for something a little different than what we've signed up for as politicians. Not that we shouldn't be treated respectfully as well, but we know that it's a bit of a different form than we've entered.

So I would say to the member opposite that I know he's relatively new, but I think he should consider both the nature of the discussion that is happening, but who it's being done with.

As politicians we expect a certain bit of back and forth, but taking on public servants is entirely different and the forum in which you take them on is entirely different as well, Madam Speaker.

Madam Speaker: The honourable member for River Heights.

The honourable member for River Heights, we cannot hear you. Can you move your microphone to be heard?

Can the member for River Heights move his mic down? Can the member move his mic down on his headset?

Hon. Jon Gerrard (River Heights): Can you hear me now?

Madam Speaker: Yes, we can.

The honourable member for River Heights, on the same matter of privilege.

Mr. Gerrard: Madam Speaker, what we have heard is strange and alarming behaviour by a senior member of the Pallister government.

It is one thing for a person who has been in the civil service for 40 years and has shown that he can work impartially with members of different governments from different backgrounds. It is another if you have a political appointee recently appointed to a senior position, there can be valid questions.

So, if insider information and insider influence and conflict of interest—and these are very important issues, and they need to be able to be discussed, and no MLA should be threatened by people for bringing these up, these important issues.

There are vital and important ethical issues related to the conduct of the government and the conduct of this—of Paul Beauregard, and, you know, we're not passing judgment here, but it is really important that we have this matter go to a special committee of the Legislature, as has been asked, as soon as possible so it can be resolved clearly to the benefit of all.

Thank you.

Madam Speaker: A matter of privilege is a serious concern. I'm going to take this matter under advisement to consult the authorities and I will return to the House with a ruling.

CONCURRENCE AND THIRD READINGS*(Continued)***Bill 4—The Retail Business
Hours of Operation Act
(Various Acts Amended or Repealed)***(Continued)*

Madam Speaker: Moving back, then, to concurrence and third reading of Bill 4.

An Honourable Member: Question.

Madam Speaker: Question?

Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House is concurrence and third reading of Bill 4, The Retail Business Hours of Operation Act (Various Acts Amended or Repealed).

Is it the pleasure of the House to adopt the motion? *[Agreed]*

The hour being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow.

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, December 2, 2020

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