

Third Session – Forty-Second Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Social and Economic Development

Chairperson
Mr. James Teitsma
Constituency of Radisson

Vol. LXXV No. 4 - 6 p.m., Thursday, April 8, 2021

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON SOCIAL AND ECONOMIC DEVELOPMENT

Thursday, April 8, 2021

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. James Teitsma (Radisson)

VICE-CHAIRPERSON – Mr. Dennis Smook (La Vérendrye)

ATTENDANCE – 6 QUORUM – 4

Members of the Committee present:

Hon. Messrs. Eichler, Helwer

Messrs. Lindsey, Moses, Smook, Teitsma

APPEARING:

Ms. Cindy Lamoureux, MLA for Tyndall Park

PUBLIC PRESENTERS:

Bill 41 – The Fair Registration Practices in Regulated Professions Amendment Act

Ms. Katherine Stansfield, Manitoba Alliance of Health Regulatory Colleges

Ms. Jessica Praznik, Immigration Partnership Winnipeg

Ms. Lizeth Ardila, SEED Winnipeg

Mr. Seid Ahmed, Manitoba Association of Newcomer Serving Organizations

Ms. Monika Feist, Success Skills Centre

Ms. Viktoria Vladimirova, Eastman Immigrant Services

Shawna Finnegan, private citizen

Ms. Darcia Senft, Law Society of Manitoba

Bill 61 – The Apprenticeship and Certification Amendment Act

Ms. Tanya Palson, private citizen

Ms. Ramona Coey, Mechanical Contractors Association of Manitoba

Mr. Kyle Kalcsics, Plumbers and Pipe Fitters Local 254

Mr. Marc Lafond, Operating Engineers Local 987

Ms. Aarti Sharma, private citizen

Mr. Kevin Rebeck, Manitoba Federation of Labour

Mr. Ron Hambley, Winnipeg Construction Association

Mr. Sudhir Sandhu, Manitoba Building Trades

Ms. Shawn Kettner, private citizen

Mr. Patrick Falconer, private citizen

Mr. Peter Wightman, Construction Labour

Relations Association of Manitoba

Mr. Robert Duarte, Ironworkers Union Local 728

WRITTEN SUBMISSIONS:

Bill 61 – The Apprenticeship and Certification Amendment Act

Darryl Harrison, Winnipeg Construction Association

Yvette Milner, Merit Contractors Association

Ramona Coey, Mechanical Contractors Association of Manitoba

MATTERS UNDER CONSIDERATION:

Bill 41 – The Fair Registration Practices in Regulated Professions Amendment Act

Bill 61 – The Apprenticeship and Certification Amendment Act

* * *

Clerk Assistant (Mr. Tim Abbott): Good evening.

Will the Standing Committee on Social and Economic Development please come to order.

Our first item of business is [inaudible] Chairperson.

Are there any nominations?

Hon. Reg Helwer (Minister of Central Services): I nominate Mr. Teitsma

Clerk Assistant: Mr. Teitsma has been nominated.

Are there any other nominations?

Hearing no other nominations, Mr. Teitsma, please take the Chair.

Mr. Chairperson: Our next item of business is the election of a Vice-Chairperson.

Are there any nominations?

Mr. Helwer: I nominate Mr. Smook.

Mr. Chairperson: Are there any other nominations?

Hearing no other nominations, Mr. Smook is elected Vice-Chairperson.

This meeting has been called to consider the following bills: Bill 41, The Fair Registration Practices in Regulated Professions Amendment Act; and Bill 61, The Apprenticeship and Certification Amendment Act.

I would like to inform all of—in attendance of the provisions in our rules regarding the hour of adjournment. The standing committee meeting to consider a bill must not sit past midnight to hear public presentations or to consider clause by clause of a bill except by unanimous consent of the committee.

Written submissions from the following people have been received and distributed to committee members: Darryl Harrilson [*phonetic*] from—Harrison from the Winnipeg Construction Association, on Bill 61; and Yvette Milner from Merit Contractors Association, on Bill 61.

Does the committee agree to have these documents appear in the Hansard transcript of the meeting? [*Agreed*]

Prior to our proceeding with public presentations, I would like to advise members of the public regarding the process for speaking in a committee. In accordance with our rules, a time limit of 10 minutes has been allotted for presentations with another five minutes allowed for questions from committee members.

If a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list. If the presenter is not in attendance when their name is called a second time, they will be removed from the presenters' list.

The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I first have to say the person's name. This is the signal for the Hansard recorder to turn the mics on and off.

Also, if any presenter has any written materials for distribution to the committee, please send the file by email to the moderator who will distribute it to all committee members.

Thank you for your patience.

We will now proceed with public presentations.

An Honourable Member: Mr. Chair.

Mr. Chairperson: Minister Eichler, yes.

Hon. Ralph Eichler (Minister of Economic Development and Jobs): Yes, just a point of clarification. I got a text from one of the presenters. Ms. Coey has some hydro problem issues—wanted her presentation to be recorded in Hansard.

I was wondering if I could get a leave of the committee to have her presentation entered into Hansard, if that's acceptable, Mr. Chair.

Mr. Chairperson: Thank you.

So the minister is suggesting that Ramona Coey's presentation be submitted in writing and added to Hansard. Is that agreeable to the committee? [*Agreed*]

Do we just go—[*interjection*] Okay. I guess, yes.

Bill 41—The Fair Registration Practices in Regulated Professions Amendment Act

Mr. Chairperson: Then I will now call on Katherine Stansfield from the Manitoba Alliance of Health Regulatory Colleges, and ask the moderator to invite them into the meeting.

Ms. Katherine Stansfield, could you please turn your video on so that we can invite you into the meeting. Ah, there you are. Wonderful.

So, yes, unmute yourself, and you can then proceed with your presentation.

Ms. Katherine Stansfield (Manitoba Alliance of Health Regulatory Colleges): Good evening. Thank you for the opportunity to present to the committee tonight.

My name is Katherine Stansfield. I am the chair of the Manitoba Alliance of Health Regulatory Colleges, to be abbreviated to the alliance. I'm also the CEO and registrar of the College of Registered Nurses of Manitoba. On behalf of the Manitoba alliance of regulatory colleges, please accept our submission regarding Bill 41, The Fair Registration Practices in Regulated Professions Amendment Act.

The alliance is comprised of all 23 regulated health professions in Manitoba. The alliance has several significant concerns regarding these amendments. In Manitoba, we are in the midst of a pandemic. As regulators, we are now providing direction to our health-care professionals on their duties to care for patients, standards of care, personal protective equipment, scope of practice and redeployment of health-care professionals.

The alliance believes that that this is not the time to introduce such a bill. The alliance has been unable to fully reflect upon, analyze, undertake robust discussion or comment in a comprehensive manner that such a legislative amendment warrants.

The alliance is formerly asking that this bill not be passed during this session at the height of the pandemic in Manitoba when the regulators of health professions are fully engaged in the pandemic response and that the bill be deferred. Once the pandemic has passed, the alliance will be in a much better position to comment and engage in discussion on the substance of the legislative amendment.

* (18:10)

Our second point is in regards to subsection 5(2): A regulated profession that proposes to change its registration practices, as described in the information provided under clause (1)(a), must notify the director of the proposed change, at the time and in the manner and form required by the director.

It is not clear as to what the time, manner and form will look like, nor is it clear as to whether a response is required from the director before the change can occur, or, more importantly, what a response from the director would mean in relation to the proposed changes. Would the response be binding on the regulator? We would expect that there would be an appeal mechanism through which a regulator could appeal the response from the director.

Clause 8.1(1): A regulated profession must take reasonable steps to collaborate with education providers and educators to (a) identify opportunities to develop programs that may assist internationally educated individuals and unsuccessful applicants in obtaining registration in the regulated profession; and (b) develop programs identified in clause (a).

This provision appears to apply to both internationally educated and domestically educated individuals. In the case of internationally educated applicants, some regulators have access to a bridging program for internationally educated applicants to bridge the gaps between their program and the Canadian practice setting.

It is unclear, however, how such a program would apply to domestically educated applicants, and we would argue that it would be inappropriate to offer remedial opportunities to domestically educated applicants. We would request that any application to domestically educated applicants be removed.

Bridging programs are expensive to operate and are generally funded on a cost-recovery basis by the bridging program from either the applicant or from government funding. Certainly, due to conflict of interest considerations, the funding could not come from the regulator. It is also important to recognize that there may not be sufficient numbers of internationally educated applicants in certain smaller professions, and that would make an operation of such a program unsustainable.

Our fourth point is in regard to section 15.2: By March 1st of each year, a regulated profession must prepare and submit to the director an annual report for the 12-month period ending December 31st on the registration of internationally educated individuals, and the report must include any other information requested by the director.

Currently, regulators must submit various data to the Fairness Commissioner by March of each year. To our knowledge, very little has ever been done with these data, yet regulators put a great deal of work into collecting the information required by the Fairness Commissioner.

Additionally, every two years, regulators are required to undertake a review of registration practices. To add an annual report on top of this, in addition to the annual report we already submit to the Minister of Health, will increase the already heavy workload of all regulators to the point of hardship. We would request that at least one of the three reports required be removed.

Our fifth point is in regard to subsection 15.4(1): The minister may issue a compliance order to a regulated profession if the minister is of the opinion that the regulated profession has failed to comply with the Fair Registration Practices Code.

We note that in subsection 15.4(3), regulators will have at least 30 days to make a written submission explaining the reason for the alleged non-compliance. However, there appears to be a great deal of subjectivity in the determination of the non-compliance. How would a failure to comply be determined?

We would suggest that the bill be amended to require that any compliance orders issued to health regulators be co-signed by both the minister responsible for The Fair Registration Practices in Regulated Professions Act and the Minister of Health and Seniors Care (Mrs. Stefanson).

We submit that there should be a set of publicly available criteria upon which any such decision would be made.

Clause 16(1)(h): prescribing the time periods within which regulated professions must make registration decisions and provide written responses and reasons to applicants. It is crucial to recognize that each applicant is unique and that much of the application process is actually driven by the applicants themselves. Any such time period must take this into consideration and would have to begin upon receipt of a completed application as determined by the regulator.

Finally, section 21 of the current Fair Registration Practices in Regulated Professions Act: if a provision of this act or regulation made under this act conflicts with a provision in another act or a regulation made under another act, the provision of this act or the regulation prevails to the extent of the conflict.

While this section has always been part of the FRPRPA, it is particularly concerning in the light of the current labour mobility focus. The Regulated Health Professions Act, which does or will in future govern regulated health professions, requires regulators of health professions to serve and protect the public interest. It would be difficult for regulators to knowingly set aside their regulatory mandate to serve and protect the public interest if it were in conflict with a labour mobility provision, as the interests of their economics and health care do not always intersect.

Further, regulators are concerned about an accountability to two ministers and the potential issues that might arise if the objectives of the two departments do not align. This concern is heightened in light of the new compliance order provision. We would request that a clause be drafted to ensure that Bill 41 is always interpreted in the public interest with regard to patient safety for those regulated health professions under the RHPA or who will be under the RHPA.

We appreciate your consideration of these comments and recommendations as they represent the topics of greatest concern by members of the alliance. We strive to work collaboratively with government in achieving our legislative mandate to serve and protect the public interest.

Thank you.

Mr. Chairperson: Thank you very much for your presentation, Ms. Stansfield.

Do members of the committee have any questions for the presenter?

Hon. Ralph Eichler (Minister of Economic Development and Jobs): Thank you, Ms. Stansfield, for your presentation—well done; lots of information, and I will duly note your recommendations, your thoughts. I'm very proud of what we've accomplished with where we are to this point, but we want to make sure we get it right, so we certainly appreciate you taking time to join us here this evening.

Mr. Chairperson: Ms. Stansfield, would you like to respond to the minister? It's up to you.

Ms. Stansfield: Thank you very much, minister. I appreciate the consideration of the committee.

Mr. Chairperson: Any further questions from members of the committee?

Mr. Tom Lindsey (Flin Flon): Thank you very much for coming out tonight. We appreciate some very insightful suggestions there. Perhaps we'll explore them further and look at making some kind of report stage amendments before this legislation becomes final. So we certainly appreciate the fact that you shared this information with us.

Is there anything more you'd like to add that we haven't covered so far?

Ms. Stansfield: I believe our presentation summarized our concerns. Definitely there is more substance within each of those concerns, and we would look forward to any opportunity to discuss in greater detail, but I believe the presentation covered all of the major points.

Mr. Chairperson: Okay. Other members of the committee?

* (18:20)

Ms. Cindy Lamoureux (Tyndall Park): Thank you, Ms. Stansfield, for your presentation. It was very good.

I was just—I was wondering what the benefit would be to waiting until after the pandemic to discuss this further. I think there's a lot of merit to that and I was wondering if you would elaborate on that a little bit.

Ms. Stansfield: Thank you very much for that question.

As regulators, I'm sure you recognize the work that is going on, mainly behind the scenes, to support all of the pandemic efforts currently under way. So we

are fully engaged in ensuring that our registrants have the opportunity to be supported by their regulatory colleges. That doesn't give us a lot of time to put the effort and energy into looking at each of these concerns that we've raised today and determine if there are alternatives or if we have suggestions for change. And I believe that that dialogue would certainly strengthen this bill.

So, to that end, we would request, respectfully, that the bill be deferred.

Mr. Chairperson: Further questions, Mr. Moses?

Mr. Jamie Moses (St. Vital): Ms. Stansfield, thank you so much for your presentation. I think it was very informative. I really appreciate, not only the time and effort you put in presenting it, but also all your colleagues at the alliance, who would have detailed the work to prepare for tonight, so I really appreciate that.

I wanted to ask a—specifically about the—oh, you mentioned about the section 8.1(1), where educational institutions would be providing some assistance to help applicants get through the process and the funding that might go into that, and how it might be a conflict with the college.

I'm wondering if you can just provide some more details on that and what funding you'd be looking for to help from the Province, to get it to align with what's proposed in the legislation.

Ms. Stansfield: This is a very important part of our submission, and we recognize that there are larger and smaller regulators and as there are health professions that have greater and larger numbers of registrants. If I can speak for a moment from the perspective of the College of Registered Nurses, as the largest, in terms of numbers of registrants, we are able to provide the volume of applicants to a bridging program that is able to sustain a program that does provide that level of support to internationally educated applicants. And, as you know, regulators are not supported by provincial funding, so all of our funding comes from applicants.

So that program is self-sufficient simply because of the volume. However, there are many other regulators that have, in fact, you know, hundreds of registrants, rather than thousands, as we do. And it is just not possible for those registrants to bear the cost of a fully funded bridging program for internationally educated applicants.

Therefore, there would have to be some other sources of funding available. Nor is it appropriate for

a regulator to actually fund such a program, simply because the distance between the regulator and the process by which an applicant determines their competence needs to be very clearly distinguished.

So there is really very little that a regulator legitimately can do to develop or support financially a program that eventually is producing applicants that must provide their compliance or demonstrate their competence to the regulator.

Mr. Chairperson: Okay, thank you, Ms. Stansfield for your answers and for—to the members for the question and answer. We have run out of time for this presenter so we will now move to the next presenter.

I will call on Jessica Praznik from the Immigration Partnership Winnipeg and ask the moderator to invite them into the meeting.

Ms. Praznik, if you can unmute yourself and turn your video on, it would be appreciated.

Ms. Jessica Praznik (Immigration Partnership Winnipeg): Hello. Can everybody see me?

Mr. Chairperson: Yes, thank you. Thank you very much for joining the meeting. Before you proceed, I did want to let you know that we have received your written brief and we're just printing copies for the members of the committee to see. But, in any case, you can now get on with your presentation. Please proceed.

Ms. Praznik: Wonderful.

Good evening, and thank you to the standing committee for this opportunity to speak with you all about Bill 41. My name is Jessica Praznik and I am project manager at Immigration Partnership Winnipeg. We are a local immigration partnership that works to create a more welcoming and inclusive community for all newcomers, immigrants and refugees in Winnipeg by engaging stakeholders, identifying needs and priorities and facilitating collaborative action.

In my role, I have the privilege to co-ordinate our employment sector table. This sector table brings together newcomer employment service providers, human resource professionals, employers, the Chamber of Commerce, sector councils and public servants, with the goal of analyzing, prioritizing, building awareness around and acting on key issues that influence the success and inclusion of newcomers, immigrants and refugees in Winnipeg workplaces.

I want to start today by thanking the Province for taking the steps to address the challenges with Manitoba's registration practices faced by internationally educated professionals, by introducing Bill 41. And moving forward in my presentation, I'll refer to internationally educated professionals as IEPs.

The registration practices have continued to create and reinforce unnecessary barriers for IEPs. These practices and the structures which support them are forms of discrimination and lead to further marginalizations of newcomers in our province. They've led to an excess of—excessive loss of time, money and self-esteem for countless IEPs, while at the same time the Province and the business community loses out on talented, qualified and skilled workers, innovation and human capital.

I'm going to talk this evening about some of the work that we've done as a sector to gather input on Bill 41 from newcomer service providers and IEPs themselves.

We felt that there was a lack of consultation with these key impacted stakeholders in the development of Bill 41. So, together with the Manitoba Association of Newcomer Serving Organizations, SEED Winnipeg, Success Skills Centre, Seven Oaks Immigrant Services, Brandon Local Immigration Partnerships and a few others, we organize our own consultations. We held a consultation session on November 17th for service providers and another consultation with IEPs on February 27th.

I'd just like to point out that within just over a week of promotion of our IEP consultation, we had over 150 IEPs register for the consultation, despite it being a virtual event, this truly showing how IEPs want to share their experience and have their voices heard.

The feedback we've—we heard during these consultations have informed our 'sesshur's' response to Bill 41, and I'll be sharing some of this feedback during my presentation while a few of my fellow colleagues will be highlighting other aspects of the feedback we heard, later on this evening.

The most common theme we heard during these consultations was frustration and defeat, due to the barriers IEPs face. One of the questions we asked during our consultation with IEPs was: If they could go back in time and tell themselves one thing about coming to Manitoba, what would it be? A common response we heard was that they could tell themselves anything, it'd be not to move to Manitoba.

I just want to give you a second to, like, let that sink in. Due to the barriers that IEPs face in having their hard-earned education and experience as professionals—sorry, as professions recognized, they have—they would've preferred not to come to Manitoba.

Many skilled workers who come to our province often end up in survival jobs, instead of working in the field that they're educated in. And we have heard in the sector countless times and countless cases of secondary migration out of Manitoba for other provinces, due to our registration practices and the lack of gap training and bridge programming opportunities.

The system is not working. This is—this has a devastating effect on our communities and the economy. From 2015 to 2017, more than 3,000 IEPs applied for registration in a Manitoba-regulated profession. Only 16 per cent, or 488 of these applicants resulted in full—sorry, applications resulted in full registrations in the professions.

Again, I just want to let that sink in: 84 per cent of 'applicason'—applicants did not get fully registered in their profession. What a devastating loss of human capital for our province.

Therefore, Bill 41 is needed and welcomed by our sector. However, more is needed to be done.

My colleagues will speak more in depth about the barriers faced by IEPs that we heard during our consultations, such as the use of third-party assessors, unnecessary documentation and administration—sorry, administrative requirements, high registration fees, language proficiency guidelines, as well as the greater need for support for bridging programs, expanding occupational-specific language training and opportunities for mentorship, networking and internships.

* (18:30)

So now I'll speak to the changes to the Office of the Manitoba Fairness Commissioner that are incorporated in Bill 41. So, due to existing legislation and regulations, the commissioner's role does not include support for individual IEPs nor have they been able—nor has the office been able to hear complaints from IEPs or issue compliance orders.

We hope for their role to be strengthened in Bill 41, however, the Fairness Commissioner and its office is being moved to a director position within the department of economic development training, and its power seemingly will remain the same.

There was not actually a consensus from our consultations regarding this transition other than there was a consensus of the need to strengthen the role of the position and to be able to hold regulatory bodies accountable for unfair practices. We hope that the new director position works to strengthen and support—sorry, strengthen the support for IEPs and reduce their barriers to registration.

So, throughout our consultations, what was stressed by both service providers and IEPs was the need for clear information, ongoing support and advocacy for IEPs. So IEPs have to navigate through multiple sources of information many times being inaccurate just to take a small step forward in their credential recognition processes.

IEPs felt a one-stop information hub online is a much-needed support. Therefore, we call for Bill 41 to establish an access centre for IEPs so that the Province can provide clear information and assistance for IEPs with the credential recognition process both before they arrive in Manitoba and once they have landed here.

Many IEPs have high expectations when they immigrate to Manitoba, especially if their professions awarded them with high points under the Provincial Nominee Program. Therefore the Province has a role to play in supporting these individuals with accessible information, assistance with credential recognition process and advocacy when they are treated unfairly by regulatory bodies.

We suggest a similar body to the province of Ontario's access centre for internationally trained individuals, which is legislatively established in Ontario's Fair Access to Regulated Professions and Compulsory Trades Act.

While in general we are in support of Bill 41, what will be most important is in the manner in which the Province implements this legislation through regulations, policies and practices. So, to ensure the bill is implemented effectively to serve Manitobans, is to include and sincerely consult our sector and IEPs in the development of those regulations, policies and practices related to the act.

We have a wealth of knowledge to share and we want to be part of the solution. We hope that this is the beginning of a collaborative partnership in making Manitoba a leader in fair credential recognition across the country. Thank you for your time.

Mr. Chairperson: Thank you, Ms. Praznik, for your presentation.

Do members of the committee have questions for the presenter?

Mr. Eichler: Thank you, Ms. Praznik, for your presentation. A lot of good information you brought forward. Certainly we look forward to carrying on our conversation with you and your colleagues.

As I said earlier on, we want to make sure we get this right. We appreciate your support. We know that through past examples of not being able to move forward in a very timely manner is why we want to move forward on it, so we appreciate your support.

Thank you for attending tonight and taking time for us.

Mr. Chairperson: Ms. Praznik, would you like to respond in any way?

Ms. Praznik: Just thank you and again, we really welcome the further inclusion of our sector and IEPs in the consultation moving forward—bringing anything around the act and regulations policies and practices. Thank you.

Mr. Chairperson: Okay, other members with questions?

Mr. Moses: Thank you so much for your presentation. It's wonderful to hear from you, and thanks for the thoughtful comments and bringing the voices of IEPs to light here. And thank you also for taking on the consultation role and being proactive and doing some of that work to hear their voices directly.

I really appreciate your suggestions around what you can do to make the Fairness Commissioner having more authority and provide kind of an access centre for information for those who are looking for it. What is—you know, from your consultation—what is a barrier that, you know, is currently right now a roadblock that you can think of as an example that this access kind of really might break down to make things easier for IEPs who are in our province?
[interjection]

Mr. Chairperson: Sorry, sorry, that's my bad. I was—I should—I have to recognize you formally first and I was engaged in a chat with the clerk, so I'm very sorry. Ms. Praznik, go ahead.

Ms. Praznik: Anybody who knows me knows I love to talk, so that was more my fault than yours.

So, yes, it's a great question. So, having this online kind of one-stop shop of information would

really help reduce a lot of the barriers to misinformation.

Lots of IEPs in their process of even immigrating to Manitoba need information about how to get regulated in their profession and it's not easily accessible.

So maybe there's a bit of information on the regulatory body's page. Maybe there's a bit of information on World Education Services' website, but it's all—they have to, you know, navigate all of these different access sources—sorry, sources of information.

And another thing that happens is many people go to multiple friends, family, for information or service providers for information, and they can get different responses.

So having this one-stop shop of information would be really valuable for them to getting their, like, accurate information but timely, fast, and they'd have realistic expectations about the time it would take to actually get registered in the profession and the cost and so to really settle out some of those expectations.

Ms. Lamoureux: Thank you, Ms. Praznik, for your presentation. I really, really agree with your point, how we have so many individuals choosing to immigrate to Manitoba only to be faced with barriers after barrier after barrier.

And I was wondering if you would share with the committee just what some of these specific skill sets that immigrants are bringing to Manitoba with them are, and what we're losing out on as a province because of the barriers?

Ms. Praznik: Yes, I think there's countless. If we think about, you know, having diversity within workplaces, it brings in and increases innovation, performance, strategy, bringing in different voices. And so this not having—losing out on IEPs that could possibly be working in these professional positions really does decrease our workforce's ability to be more innovative, more—increases performance, and it's—like, I think it's, you know, at the end of the day, having IEPs bringing in their experiences from their home countries or secondary countries that they've lived in can really increase problem solving, right? Like, they can bring in those different experiences and those different lens to approaching issues within the workplace.

Also, at the end of the day, our province has—is very diverse. So having a workforce that's reflective

of our population also better serves, like, customer service as well as others.

Mr. Chairperson: Thank you, Ms. Praznik. Unfortunately, our time for questions has come to an end so we're going to move onto the next presenter.

I will now call on Lizeth Argila [*phonetic*] from SEED Winnipeg. Lizeth, if you could unmute yourself and turn your video on.

All right, hi there. Welcome to the committee. You can now proceed with your presentation.

Ms. Lizeth Ardila (SEED Winnipeg): Dear committee and Chair and other members of the committee, before I begin, I want to thank you—thank the Province for taking the steps and the time to address the challenges with the Manitoba registration practices faced by internationally educated professionals, IEPs, by introducing Bill 41.

My name is Lizeth Ardila and I am the Recognition Counts marketing co-ordinator at SEED Winnipeg. As an immigrant myself, I am very familiar with the hurdles faced after moving to another country. Settling into a new life takes a lot of time, effort, money and emotional strength. So I'm happy to work with an organization and a program that helps to reduce some of the barriers that many newcomers like myself and immigrants encounter.

One of SEED's programs, Recognition Counts, offers loans for skilled immigrants who want to get their credentials recognized in Canada, particularly in Manitoba. Many of our clients face unnecessary steps to getting credentials recognized. We see clients who spent an excessive amount of time, money and self-esteem in the process of credential recognitions while the province simultaneously loses talent, innovation and human capital.

* (18:40)

Let me share with you a real client story—excuse me—that exemplifies the difficulties that many IEPs experience. This is a story of an international educated nurse, RN, with over six years of professional experience working in a medical intensive-care unit in her home country.

She arrived in 2015 and decided to start the process of getting her credentials recognized in 2017 by taking the necessary language exams and paying the expensive non-reimbursable fees for her assessments. RNs need to pay over \$2,000 for such assessments, and if they fail the Clinical Competence Assessment, CCA, it means that the examinees need

to retake the four-year course of nursing here in Manitoba or wait for the bridging courses, which often take—or often have a waiting list of two years. Once accepted to a bridging program, the student is required to refresh their English proficiency exam result and pay a fee of \$395.

So then she researched and found that other provinces such as Ontario and Newfoundland offer RNs the opportunity to fulfill their nursing career and acquire her RN licence in less time and without so many complications. She received an immediate response from the College of Registered Nurses of Newfoundland and Labrador, CRNNL. She wrote a petition to the CRNL *[phonetic]* so she could finish the bridging program before her safe practice expired, otherwise she have take the full bridging course, pay the bridging course fees, which is more than \$8,000 right now, and had to wait for an intake to be offered.

Her petition was approved and she received a spot in 2018. After four months she completed her certification and flew back to Winnipeg with her family, and she started to prepare for her National Council Licensure Examination for Registered Nurses.

In August of 2019, she started reviewing for her exam and found out that the College of Registered Nurses of Manitoba refused to accept out-of-province graduates who do not have experience working as an— a registered nurse. They require at least 450 RN hours before being able to reciprocate their licence. She says there were so many barriers to live and work in Manitoba, and it was really exhausting, frustrating, making it almost impossible for most internationally educated nurses to transfer.

Prior to taking her exam, she filed a complaint through the office of the Manitoba fairness commission somewhere in 2019 with other RNs in regards to the unjust treatment of CRNM, College of Registered Nurses of Manitoba, to international educated nurses and unreasonable requirements in reciprocating their licence in Manitoba.

However, nothing happened, and in December of 2019, she decided to transfer her licence to Saskatchewan and paid another \$395 to refresh her English exam and finally reciprocate her licence to Saskatchewan. She successfully passed the exam and facilitated a transfer of her licence from Newfoundland to Saskatchewan, submitted all the requirements to a regulatory body and waited for her licence to be released.

In March of 2020 she successfully got a job in Saskatchewan and started working at the biggest hospital in the province.

In spite of it all, she wants to come back to Manitoba to be close to her family and friends. She says that she hopes that CRNM's policy in reciprocating licences be evaluated. She says that the province is losing nurses to other provinces because they are being pushed away. She shared with us an estimated of the cost of the whole process was more than \$20,000, and I have a breakdown that I can share with you through email after my presentation.

This example is not unique among our clients. IEPs want this legislation to speak the need for reasonable cost to credential recognition and licensing fees. Therefore, we would like to see the Bill 41 to improve the ways which equity concerns are being addressed across the regulatory bodies, reducing fees so IEPs who have families are not forced to pick up survival jobs that sometimes stay indefinitely because of the cost and barriers they face with the credential recognition process, and we recommend that the Province provide funding to regulatory bodies to provide internship positions, to smoothen the path into their professions.

Although we are in agreement that a change to the current legislation are necessary, the settlement sector, which helps hundreds of newcomers navigate, where they show recognitions, had no advanced knowledge of the introduction of Bill 41 and only had a short briefing unaided by the government staff, will need an opportunity to provide input.

We felt that there was a lack of consultation by the government with the settlement sector, so we arranged our own consultation with the sector, as Jessica mentioned. The sessions were held in November 17, after the Bill 41 was introduced and then we had another one on February 27th with IEPs.

One of the common themes we heard during the session is that international educated professionals felt very frustrated with the barriers they face in getting their credentials recognized in Manitoba. We are thankful for this opportunity to make a presentation with our suggestions to the legislative committee. And once the legislation is passed, we hope you consult our organizations. Our sector has a wealth of knowledge and to share, and we want to be part of the solution.

Thank you.

Mr. Chairperson: Thank you, Ms. Argila *[phonetic]*, for your presentation.

Do members of the committee have questions for the presenter?

Mr. Eichler: Thank you for your presentation. Thank you for your contribution to what you do to help immigrants get their positions filled sooner and faster.

Your stories were very informative. We have similar that we've heard over time. When I first became the minister in 2019, and members—some of the members on the committee now—certainly we know how serious this issue is and that's why we brought the legislation forward. And we appreciate your comments and taking time to share with them—with us here tonight. So thank you.

Mr. Chairperson: Ms. Argila [*phonetic*], would you like to respond to the minister?

Ms. Ardila: Yes, thank you so much. Thank you for the opportunity.

Mr. Moses: Thank you, Ms. Argila [*phonetic*], for your presentation. It's really informative and inspiring to hear the efforts and the lengths that an IEN would go through to get accredited, to do the job that, you know, that they are passionate about; having to—multiple provinces—to go through that process.

Thank you for sharing that. You know, I think that, you know, this bill does take some steps to alleviate some of those barriers, but I don't know if it goes far enough.

So, I'd wonder, from you, if there are other, you know, issues that maybe the previous presenters or maybe that you have from your consultation have heard that would help to alleviate specific barriers that people, like in your story—like the IEN have faced, or other individuals have faced?

Ms. Ardila: Yes, thank you so much. I think I can speak for our clients at SEED and most of them are nurses from other countries. And they face very similar barriers. It's very costly, takes a lot of time. A lot of them have to renew their licences, and it's just a very costly and lengthy process.

And a thing like consultation with the sector and consultation with IEPs will continue to strengthen the bill and just make it one that works for them.

Ms. Lamoureux: Thank you, Ms. Argila [*phonetic*], for your presentation.

It's really just more a comment. I do want to thank you for sharing this story, as it really puts this legislation in perspective for us and allows us to better

understand it. It's like putting down on paper. So, just thank you for your time and for sharing that with us.

Mr. Chairperson: Ms. Argila [*phonetic*], would you like to respond to Ms. Lamoureux?

Ms. Ardila: Yes, thank you. Just thank you so much for the time.

Mr. Chairperson: Any other members of the committee with questions for this presenter?

Okay, seeing none, then I thank you Ms. Argila [*phonetic*] for presenting to us and wish you well. And we'll move on to the next presenter.

Thank you.

I will now call on Seid Ahmed from the Manitoba Association of Newcomers Serving Organizations.

Seid Ahmed, if I could ask you to unmute yourself and turn your video on. There you are. Wonderful. Welcome Mr. Ahmed to this committee and you may now proceed with your presentation.

* (18:50)

Mr. Seid Ahmed (Manitoba Association of Newcomer Serving Organizations): Good evening, Honourable Ralph Eichler and other members of Social and Economic Standing Committee. My name is Seid Ahmed. I'm the director of resettlement integration support at the Manitoba Association of Newcomer Serving Organizations, which is known as MANSO. It's an umbrella agency for more than 17 member organizations.

On behalf of the members of the Manitoba Association of Newcomer Serving Organizations, who support thousands of newcomers who like to thank the Province for taking steps to authorize a challenge with Manitoba's administration by introducing Bill 41, and I'm so honoured to be here to present.

On November 27, we hosted a special meeting of settlement sector stakeholders, to bring forward ideas to strengthen the legislation. We had also IEPs consultation on February 27 [*inaudible*] and Jessica and others, and I want to share some of the feedback that were raised during the consultation, particularly in three areas: setting language proficiency guidelines for regulatory bodies, eliminating the ability to use third-party assessors and eliminating unnecessary documentation.

As we all know, the young and the brightest top talent is encouraged to immigrate to Manitoba through

the nominee program and granted permanent resident status on the basis of point: point for the education, point for the English or French language proficiency, point for their work experience and for their age and adaptability.

On the prairie list, the nominee program implied a promise of being able to use them in Manitoba to support the growth and competitiveness of the Canadian economy and to build capital within our aging labour force. But more often, when they are here, they are not deemed competent to work here. We all know that. Assessing the credentials of the national educated professionals complex challenging, but crucially important. Regulators need to ensure that only those IEPs that have entry-level competency of Canadian standards are registered in the interest of public protection.

However, regulators must also ensure that there are no unreasonable barriers to technician. They have also to ensure that their practices are transparent, objective, impartial and fair. The question we need to find solution to links to our—the real motive behind why some regulators are not fair, why they are not impartial. I don't want to, you know, argue English language proficiency tests should have lifetime validity without any barriers. But regulatory bodies in Manitoba typically use international standards for describing English language ability. They use international English language system, IELTS, as a benchmark for non-native speakers.

So I want to pose the following question for you all. Can we claim our education certificate has lifetime validity as far as we renew our licence for every year? Is there any post-secondary institution that posts an expiration date on your diploma or degree or Ph.D.? At what point would your undergrad degree just not count anymore? Have you ever worried that you missed a chance at being accepted into a grad or Ph.D. program because your undergrad degree has an expiration date? Do you really believe this course, international educated professionals, often decline once they have submitted their language result through the regulatory body without their fault? Especially while they are studying or maintaining language skills, such as participating in occupations *[inaudible]* language classes or working in English or French-speaking environments that demand either English or French.

What kind of experiences they have when they were asked to rewrite the test due to the direction of its the core validity? Why most of the regulatory

bodies use international English language testing system, IELTS? To serve as doors, door openers and gatekeepers. This barrier exists within certain regulatory bodies that prevent people from having their qualification and experience recognized. Any serious attempt to fix the problem of credential recognition must include direct attention to a number of factors.

Just I want to share some promising practices. International educated engineers qualification program, IEQ program, that's the Canadian language benchmark placement test. Students can request a waiver of the English language proficiency requirement. Students from 17 countries are exempt English language requirement. So, in addition to adopting this in other existing policy practices, regulatory bodies can expand their criteria for language proficiency, such as more options for IEPs.

For example, IEP can take Cambridge English assessment, C1 Advanced exam. It has no expiration date. The regulatory bodies can verify your result to confirm the assessment result or certificate is genuine, like IELTS. So the nuts-and-bolts aspects of Bill 41 need urgent attention to simplify and accelerate foreign credential recognition.

Our ability to use human capital is greatly enhanced and it allows for a more talented and accessible pool of candidates. Employers seeking to fill critical labour shortages will be able to hire more Canadians and permanent residents.

We hope the bill holds accountable those regulatory bodies that have unreasonable barriers to credential recognition. I believe Bill 41 should incorporate an action plan aimed at some concrete proposal that could be implemented by the regulatory bodies, as well as by the Province, that will allow this jurisdiction to integrate international *[inaudible]* skills into the Canadian.

So, the second point I want to talk about is eliminating a third party assessor. So, the process of having to go to a third party assessor has created significant barrier for IEPs. So, we request that measure be put into the act, eliminating the use of third party assessors, especially if regulatory bodies do not accept the third party *[inaudible]* recommendation as is. At the end, this is up to that regulatory body to accept *[inaudible]*.

So, the third point I want to talk about, the requirement of unnecessary *[inaudible]* IEPs continue to face unnecessary steps to get their credentials

recognized, including the requirement of unnecessary [*inaudible*], which can be difficult to acquire from the country of origin for reasons beyond their control. For example, IEPs will need to submit criminal record checks from every country they lived in within the past six—but they already provided that document as a part of their immigration process. They are coming as permanent residents.

All in all, the documentation requirement is more difficult in Manitoba than other provinces, and this is not consistent across the regulatory bodies. And this causes increased costs, excessive time, loss in human capital, impacts the economy.

So we recommend that the Province explore ways of streamlining and simplifying the administrative process. I believe there is a number of major criteria that needs to be reviewed to avoid the waste of potential costs.

So, we appreciate the difficulties and limitation of doing consultation during the pandemic. However, it is vital, you know, the Province consult the settlement sector on their experience with the credential recognition process to identify key areas for improvement and ways to implement. And we'd be happy to offer our support and the support of our members in further developing this legislation for improvement.

Thank you.

Mr. Chairperson: Thank you, Mr. Ahmed, for your presentation.

Do members of the committee have questions for the presenter?

Mr. Eichler: Thanks for your presentation. Thanks for taking time to be with us tonight.

Lots of good information in your presentation. We'll certainly take all those notes under advisement and look forward to saying thanks for supporting us on this bill.

Mr. Chairperson: Mr. Ahmed, would you like to respond to the minister at all? Up to you.

Mr. Ahmed: Thank you for the opportunity again.

Mr. Moses: Thank you so much for your presentation this evening. It's a pleasure to hear from you and highlight the issues that people you work with have faced and the barriers that they've faced and the challenges.

I think it's important that we seriously look at ways to reduce those barriers. And wondering, from your perspective, how many people that you deal with on a daily basis encounter these barriers and, you know, how many would you say maybe don't?

Is it all of them encounter these barriers? Is it just some of them? Or what percentage would you say if you can put a number on it to give us perspective on that?

Mr. Ahmed: It's going to be difficult to put in numbers, but, really, that is common.

Like, our chair actually, one of IEPs, he said he has submitted all his applications. It took one year to hear back from the regulatory bodies. At that time, you know, some of the documents already expired. Their English require—you know, the English—the test result? That has expired. So, he has to rewrite over again. It took one year to respond to that initial application.

* (19:00)

So it was really common to hear all this frustration from internationally educated professionals.

Mr. Chairperson: Thank you, Mr. Ahmed.

Ms. Lamoureux: Thank you so much for your presentation. I really appreciate the way you are challenging us as elected officials to actually question some of the standards and revisiting those standards.

You talk a lot about the IELTS, like, language as well as post-secondary education, and you're right. And it makes—I'm questioning myself now: when is the last time these were actually talked about and debated? Why are we not revisiting these standards and having that conversation?

So I guess my question to you would be, would you recommend we revisit these conversations and have these debates before Bill 41 passes or after? Is there a difference?

Mr. Ahmed: I think we're looking for an opportunity to consult, so we have, you know, just more input to share. There's a lot of, you know, just expertise and, you know, experience, you know, just working to—educated professionals.

I think, yes, we would be happy to share that. I think one thing is, I think this is wholly unnecessary steps. This could be easily removed. This is a barrier, actually, that add a lot of, like, you know, just causes

frustration, depression, presenting to internationally educated professionals.

So, as far as, you know, it's incorporated before or after, I don't think that matters, honestly. But I'm hoping, actually, Bill 41 will consider to incorporate all these key suggestions and considerations.

Mr. Chairperson: Thank you, Mr. Ahmed.

Are there any other MLAs on the committee who have questions?

Seeing none, then I'm going to thank you, Mr. Ahmed, for your presentation and for answering the committee's questions, and we will now move on to the next presenter.

I call on Monica Feist from the 'succells'—Success Skills Centre and ask the moderator to invite them into the meeting.

I ask that they please unmute themselves and turn their video on as well.

Floor Comment: Good evening, committee members—

Mr. Chairperson: Welcome—sorry, I still need to recognize you before we can get into your presentation.

So, welcome, Monica Feist into the meeting, and I encourage you now to proceed with your presentation. Thank you.

Ms. Monika Feist (Success Skills Centre): Good evening, committee members, honourable Ministers Eichler and Helwer.

I want to thank you first of all for allowing us to speak with you this evening on the proposed bill and thank you for revisiting the act.

My colleagues have said many of the things that I want to tell you. I may be repeating a few of those, but I want to reiterate.

I'm Monica Feist. I'm the CEO of Success Skills Centre. As a background, I want to tell you a bit about Success Skills Centre. We were formed back in 1985 to fill a very specific niche to address the needs for internationally educated newcomer professionals and skilled workers in order to gain their accreditation in their fields and to be able to work likewise in their occupations in Canada.

For many years, we were the only organization in the province and one of a few in Canada to lead in this area. Over the years, our centre received funding first

from the federal government, then on devolution to the provinces in 1998 provincially and then back federally back in '12-13, and now from neither.

But, instead, we have been able to continue with private placements, paid internships and testing contracts that we either have sought out or where we have been sought out to deliver. Some thousands have gone through our hands-on preparation programming, occupation-specific courses and related job placements. Excuse my pup.

Many of our clients have successfully transitioned, and there are also many who haven't. Some of their barriers are certainly common, such as age, language, money to pay for expensive exams especially, other barriers such as lengthy, lengthy accreditation processes that are very difficult to understand at times, even by us, along with duplicate requirement to prove their qualifications, a lack of advocacy on their behalf, aside from our small staff, other organizations and some Canadian friends who have sympathy.

Greater barriers are that there have been a lack of ongoing bridging programs to help newcomer professionals and skilled workers to be able to fill the gaps that they were told that they actually have. Quite frankly, having been in this field for well over 30 years, I am absolutely dismayed at the starts and the stops of successful bridging programs that work, developed due to the lack of commitment by government to continue their funding.

It is a repetitive fight to get funding for the not-for-profits and educational institutions to be able to deliver adequate programs and services and the necessary bridging of individuals that our Province invites to come to Manitoba through its PNP program.

Provincial policy and the reality to the needs of those invited and the employers are not synchronized. For the life of me I cannot understand why the Province would invite such individuals—

Mr. Chairperson: Ms. Feist, if I could ask—sorry to interrupt—but if I could just ask that you try not to rub the microphone with the papers or something. We're getting sometimes feedback—

Ms. Feist: Oh, terribly sorry.

Mr. Chairperson: It's good sometimes, but then not so good for a little while, so I'll just let you get back to it. Thank you.

Ms. Feist: Okay. So, for the life of me, I cannot understand why the Province would invite such

individuals who have space engineering to Manitoba when we end up having to work with them to get them into the space engineering program in Montreal, and they ended up becoming an associate professor immediately after having languished in Manitoba for over a year, and I was able to get him into the University of Manitoba to teach a couple of subjects.

So, others—we have professors who are—have not a chance of teaching at the university or at the colleges here, and they don't want to do anything else when there are no jobs and then, as I said, we have to help them find jobs either in other provinces, and we've even found jobs for individuals down in Australia, believe it or not.

If we have skill shortages the invitations should be to those so that a match can be made quickly and then the newcomer can hit the ground running. Sadly, that happens way, way too few times.

So, onto the specifics of Bill 41. I do want to commend you on some of the amendments to the bill, for making some items clearer. But there are some areas which do not appear to be great changes. It is not clear what mandatory time frames are required to respond to individuals submitting their documents for registration. Having to redo subject areas, and especially our experience, has been that when they do go back to take the subjects that they've been told that they are supposed to take, they actually outperform their Canadian peers.

The excessive fees for exams—talk about \$20,000 for nurses—you're looking at close to 40 to 50 thousand dollars for doctors, depending on what their particular fields are.

The whole area of lack of competency-based considerations just—some of it has started happening, but it's just very poor. I would really like to have much stronger defined definitions in the act, timely decisions, responses and reasons and what reasonable time really is. I think that is very, very unclear in the act.

Our organization is also concerned that the position of the Fairness Commissioner is being downgraded to a directorship. I was involved initially at the beginning of the year 2000 to even have the position and the particular office established because, certainly within government, there certainly wasn't the action within the government departments for the changes that needed to take place.

I feel it moves to a position of a minimum of three to four positions down from the minister, lessening the

position's influence versus, of course, the present act's direct recording and also the arm's-length role that it plays.

* (19:10)

A three- to four-position—down-directed position can be silenced or filtered by those above who may not agree with the recommendations and that is not that uncommon within government. And it will not serve the minister well, nor internationally trained individuals.

The briefing provided to us did not bring clarity as to why the change is made really, unless the intent is to not allow an independent, arm's-length voice to be able to speak to what really needs to be said and done. As it is, I would have recommended keeping the position and the office and adding several advocacy staff who would work in a similar manner as those staff at the Manitoba Human Rights Commission to advocate on behalf of the clients. There is no such advocacy aside from organizations such as ourselves. I really would like to hear more from the minister on this.

There is still so much to be done in the registration process and the act should be more specific in what is expected of the 'registering' organizations. Otherwise, I see this just as another make-work—excuse me, work exercise for all of us. For example, I'd like to see it that the act ensures funding ongoing bridging programs, either ensures the department does for onboarding that would respond to the regulator's identification of needs and those identified by educational institutions and not-for-profits helping the newcomer professionals.

I'd like to see the act ensure paid work, integrated learning or paid internship for newcomer professionals and skilled workers to get them onboarded into related employment and time in the occupation for accreditation, because that is also a part of the requirement for accreditation, to make it happen as quickly as possible.

I do like the national pharmacists association's recent internship program as a wonderful example, and it is one of the organizations where we've been very fortunate to be able to place over the years the—pharmacists from over—from other countries.

Mr. Chairperson: Ms. Feist—[interjection]—Ms. Feist, just a time check. You've got about 30 seconds left.

Ms. Feist: So, I guess I'd like to ensure that they're providing navigators through the regulators, through the process. The U of M health hub is an excellent example, a one-stop website, absolutely essential.

I look forward that we work with you and that you consult with us as we feel that we are on your side as a department and we want to be part of that solution to help our internationally trained immigrants become part of this province, rather than having to send them out of the province because there's better solutions there.

Thank you very much for your time.

Mr. Chairperson: Thank you, Ms. Feist, for your presentation.

Do members of the committee have questions at all for their presenter?

Mr. Eichler: Thank you for your presentation. I look forward to working with you as we go forward.

We've had discussions on this in the past but certainly it's important for us all to know that, as we started working on this at least two years ago, we've had consultations—we need to have more—but certainly this is a very good start and we appreciate you taking time tonight—you and your colleagues—to make presentations to us at committee here tonight.

So thank you very much.

Mr. Chairperson: Thank you, Minister.

Ms. Feist, would you like to respond at all to the minister?

Ms. Feist: Well, thank you.

It has been a positive relationship. We really appreciated that you took the time last week to actually meet with us all. So, thank you.

Mr. Moses: Thank you very much, Ms. Feist, it's fantastic to hear from you. Thank you very much for your presentation and what you've shared with us this evening.

I wanted to know just based on your experience with this—in this field for many years, what it's been like to see changes over the years and even the programs—specifically the bridging programs that you've seen—that have been successful.

What have been any commonalities that you say would have led to successful programs over your experience over the years?

Ms. Feist: I guess the commonalities of the bridging programs particularly have been, and I think there are many of them—are very successful, was that there was that additional advocacy, the additional help, better understanding. It also—some of these bridging programs assisted individuals to getting into their practice, to actually get some work experience in place, provided some of the language—the occupation-specific language especially. Basically, just onboarding in Manitoba, very much so understanding how things are done in Canada. Those would be probably the successful aspects of those 'bridging' programs.

Ms. Lamoureux: Thank you so much for your presentation.

I want to thank you for pointing out the importance of clarity just around—some of the definitions around reasonable time. I think that, if there's still confusion around that, it speaks volumes that there has to be some further debate on this legislation. I'm hoping that through the committee and through third reading that the minister will be able to shed a little bit more light on some clarity for these definitions.

I also just wanted to create an opportunity—I know you got cut short there—if you had any final words or comments you wanted to share with the committee today. *[interjection]*

Mr. Chairperson: Ms. Feist—sorry, I first have to recognize you.

Ms. Feist: Particularly, I would really emphasize the whole issue of appeal mechanisms.

I found it interesting that our first presenter spoke to having a possibility of having an appeal mechanism for regulators to the director, but I don't see any appeal mechanisms here for our internationally trained individuals. And I think it's the appeal mechanisms that need to be looked at, both within the assessing organizations and also externally. I guess that would be my main one.

And the need for advocacy. Absolutely a necessity. And having somebody be able to speak on their behalf and navigate with them.

I went into our website the other day for a client and, believe me, I got all confused. I couldn't believe it. I thought it was—had already been taken care of. And I'd hate—I really think that's something that needs to be solved. The—clarify on the website, the

explanations, the transparency process—actually, there isn't a transparency in some of those regulations.

Mr. Chairperson: Thank you, Ms. Feist.

Are there any other MLAs on committee that have a question?

Mr. Lindsey: So, I just have a very quick question.

You made several suggestions like the add—staff advocacy, bridge funding, paid internships. Would you like to see the government hold off on introducing this particular piece of legislation until you've had a chance to—or, we've had a chance to convince them to put some of these things into the act?

Mr. Chairperson: Ms. Feist, we are nearly out of time, but maybe if you can respond in less than 30 seconds.

Ms. Feist: I don't know. I—in one—on one way, I think the bill really does need some improvement, and if it means that there'd be—that some of these funding processes would also be put in place and the advocacy approaches, I would be prepared to wait a little longer.

But, you know, we don't know how long this whole epidemic is going to go. We may be looking at a pandemic for another year or two, so are we willing to just keep delaying and delaying? We can always bring it back to the table if the act isn't quite as full as it could be.

Mr. Chairperson: Thank you, Ms. Feist, for your presentation and for answering the questions of committee members.

We are now going to move onto the next presenter. I call on Viktoria Vladimirova and ask the moderator to invite them into the meeting.

Viktoria Vladimirova, I ask you to unmute yourself and turn your video on.

Floor Comment: Good evening, everyone.

Mr. Chairperson: Welcome to the committee, Ms. Vladimirova, and you may now proceed with your presentation. Ten minutes, thank you.

* (19:20)

Ms. Viktoria Vladimirova (Eastman Immigrant Services): Good evening, Chairperson, members of committee and staff of the Legislature. Thank you very much for the privilege to present today at the Standing Committee and share rural service sector experience.

Eastman Immigrant Services would like to thank the Province for the effort to speed up and simplify the foreign credential recognition process for internationally educated professionals. This is a very important move, especially during challenging times for the province of Manitoba and Manitobans.

Let me introduce myself. My name is Viktoria Vladimirova and I'm an employment facilitator for Eastman Immigrant Services at the Eastman and Interlake region. We are assisting newcomers with settlement, employment and other relevant needs in our area.

One of the aspects of our service is to provide assistance with credential recognition process for internationally educated professionals. We assist with application forms, refer clients to regulatory bodies in the province for recognition in their field, but our clients are coming back for further assistance: misunderstanding of the process, language issues and financial problems.

Internationally educated professionals feel frustration and skepticism upon arrival to the province, and newcomer immigrants share that when they apply for Manitoba Provincial Nominee Program, they have to prove their post-secondary education, qualifications, work experience. Internationally educated professionals perform research on—in their countries of origin, to make sure they will be able to go back to their occupational fields, but upon arrival, highly educated immigrants face the reality of the process and realize that sometimes it's almost impossible to go through. It's either too long, too costly, too far, too late or another reason.

Eastman Immigrant Services, representing Eastman and Interlake region, were not notified of introduction of Bill 41, The Fair Registration Practices in Regulated Professions Amendment Act, and didn't have a chance to provide feedback from the regional offices.

Our experience would highlight the main steps for improvement. It's very important to remove barriers for internationally educated professionals. It's very important to keep professionals in Manitoba and provide job opportunities for the professionals in their fields of expertise.

I would like to share some experience that I witnessed during my years with Eastman Immigrant Services. Internationally educated nurses from the Philippines moved to Manitoba four years ago. They came prepared for the credential recognition process

in Manitoba but after their research of the process in other provinces, they discovered that in other—that the other provinces offer bridging programs for the nurses and shorter time for recognition. The nurses relocated to British Columbia and Nova Scotia.

In 2018, a family of five doctors from Iran and the—Egypt moved to Steinbach, Manitoba. Two of them passed the qualification exams in Australia. Upon arrival to Manitoba, they realized that they have to redo the challenging exam again.

My clients, vets from the Philippines, with high credentials, many years of experience back home, don't want to start the recognition process upon arrival because of huge barriers in their way.

During my 15 years of work with Eastman Immigrant Services, we know only two vets that went through credential recognition process and were recognized in Manitoba. Their comments were: It's very complicating; it's very stressful; you have to pass qualification exams in different province; you have to pay for all exams. The Province of Manitoba has limited funds for that. You have to pay for accommodation and other expenses and the whole process might take from three to four years.

We, as a province, need to create bridging and employment engagement programs, occupation-related language programs to stimulate fast recognition process. We need to eliminate long waiting times and requisition of unnecessary documents.

It's our responsibility as a Province to give a chance to international educated professionals to return to their occupation in Manitoba, or at least in their field of expertise, and stay in the province. It's in our interest to keep talented and eager-to-invest-in-the-province people with a huge—with huge potential.

Thank you very much for your time and for your consideration.

Mr. Chairperson: Thank you, Ms. Vladimirova, for your presentation.

I ask if members of the committee have questions for the presenter.

Mr. Eichler: Thank you for taking time this evening. Enjoyed your presentation; lots of good information in there.

We're heard this over and over again with our timelines and the barriers that come. We think it's really important to move forward with this legislation, so, thanks for taking time to be with us.

Mr. Chairperson: Ms. Vladimirova, would you like to respond to the minister?

Ms. Vladimirova: Thank you so much for listening to me.

Mr. Moses: Thank you very much for your presentation this evening, Ms. Vladimirova. I wanted to ask you: from your experience and from your perspective, being someone who's outside of the city and maybe even having further distance to having conversations or networking or getting that information, what other barriers do you think people—new immigrants who are outside of Winnipeg might face?

You already mentioned some things like travel, accommodation. What are those barriers and, you know, what maybe you suggest to the Province to help resolve some of those?

Ms. Vladimirova: So the main barrier, of course, may be transportation because main offices are in Winnipeg, and when they apply, they have to contact regulatory bodies in Winnipeg. And sometimes it's travel time or it's waiting time or they are not able to gather information, you know.

So we as an office are trying to do the best to accommodate those needs, but we don't have a lot of information. We are just a referral agency.

Mr. Chairperson: Thank you.

Ms. Lamoureux: Thank you for your presentation. I agree with what you're saying. It's in our best interests as Manitobans, as legislators, to be taking down some of these barriers to ensure that when people are choosing to immigrate to Manitoba, this can be done in a lot smoother and affordable and fair way.

I was wondering. At the very beginning, you mentioned—and correct me if I'm wrong—but that you were not consulted. And so I'm wondering if this is accurate, as well as then how did you find out about the legislation?

Ms. Vladimirova: We as an agency attending employment meetings with MANSO organization, and this question was raised during one of our employment meetings at MANSO or with MANSO.

Mr. Chairperson: Thank you, Ms. Vladimirova.

Are there any other members of the committee who have a question?

Okay, seeing none, I thank you very much for your presentation and wish you well, and we'll now move on to the next presenter.

So, I would like to call on Shawna Finnegan and ask the moderator to invite them into the meeting. And I ask that they unmute themselves and turn their video on.

Welcome, Shawna Finnegan, to the meeting, and you may proceed with your presentation.

Shawna Finnegan (Private Citizen): My name is Shawna Finnegan. My pronouns are they and them.

I want to begin my presentation by noting that this bill is one of 19 bills that was tabled and passed through first reading with titles alone and no accompanying text that describes the purpose and content of the proposed legislation.

The tabling of so many bills without text is unprecedented in Manitoba history, in the legislatures of all other Canadian jurisdictions and in the established norms in every international jurisdiction that responded to inquiries by the Manitoba Legislative Library.

* (19:30)

By releasing the text of 19 bills over a short period of time, with so little time for public review and consideration, the PC government is effectively obstructing meaningful participation by the public in the legislative process.

I want to share my deep gratitude to all the presenters at the committee this evening. I've learned so much from the presentations and I fully support the requests that have been made to delay this bill until there has been sufficient consultation and input.

With regards to the content of the bill, I want to say that I am a lay person. I am not experienced in law and so my question comes with a certain level of ignorance. But I want to share that I am confused about the purpose and the impact of replacing the commissioner with a director.

Will the appointment of a director follow the same process of appointment of a commissioner? I would appreciate hearing anything from the minister regarding the aim and the impact of this change.

And I want to thank you all, again, for the time to speak with you today. Thank you.

Mr. Chairperson: Thank you, Shawna Finnegan, for your presentation.

Are there members of the committee that have questions for this presenter?

Mr. Eichler: Yes. Thanks so much for taking time. I know it's a stressful time of year, what we've been through, but certainly hearing your opinions are important to us.

So, thank you for your presentation.

Mr. Chairperson: Shawna Finnegan, would you like to respond at all to the minister?

S. Finnegan: No, but thank you very much for that response.

Mr. Moses: Thank you, Shawna, for your comments this evening.

It's very heartening to hear that there are members of the public who are as concerned about the hidden legislation and the bills that were not presented—the full text of—for many months, as we are in the Legislature.

It's very, I think, upsetting to hear that the government would take this approach when time to pass legislation that should be fully transparent to all Manitobans. So we are very discouraged by that decision and we, you know, are urging, of course, the government to do better and to take better steps and be more transparent with all legislations for all Manitobans.

Thank you so much for your comments and your time this evening. I do appreciate it very much.

Thank you.

Mr. Chairperson: Shawna Finnegan, would you like to respond at all to the member?

S. Finnegan: Just to say thank you very much for your comments.

Ms. Lamoureux: My comments are actually very similar to the member from St. Vital.

I just—I wanted to thank Shawna for reminding us and those watching the committee right now of just how this legislation was introduced and how it was introduced on a platter with 19 other pieces of legislation with zero context behind it. And so it does raise some red flags; it makes us want to question it a little bit more. So I just want to thank you for reminding us of that.

S. Finnegan: Thank you very much for your comments.

Mr. Chairperson: All right. I will ask if there are any other questions from the MLAs on the committee? If not, then we thank you for your presentation and we will now move to the next presenter.

I call on Darcia Senft from the Law Society of Manitoba and ask the moderator to invite them into this meeting.

Darcia Senft, I ask that you unmute yourself and turn your video on. Oh, there you are. Hello.

Ms. Darcia Senft (Law Society of Manitoba): Hello.

Mr. Chairperson: Welcome to the meeting. You can now proceed with your presentation.

Ms. Senft: The Law Society of Manitoba has serious concerns about the proposed amendments to the act and the intention to have those amendments apply to the Law Society as the independent regulator of the legal profession.

Section 3 of The Legal Profession Act sets out our statutory mandate to, in a court, uphold and protect the public interest in the delivery of legal services with competence, integrity and independence. Each of those components is critical to our fundamental role to regulate lawyers in the public interest.

The amendments insert the government into the process of governance of the legal profession, and this represents a departure from a long-standing regulatory framework where the Law Society independently regulates in accordance with its statutory purpose.

The dependence of lawyers and the regulators is a fundamental pillar of and is essential to a proper functioning democracy. Self-regulation or self-'governance' refers to the profession's ability to set and enforce its own regulation, free from influence as far as possible. This entails the profession's right to set its own rules and set up bodies to oversee compliance with those rules.

Before the current act went to committee, by letter dated September 19th, 2007, the society's then-CEO Mr. Allan Fineblit wrote to minister Nancy Allan setting out concerns about the proposed legislation. And he said, in Canada we are so accustomed to living in a free society that we generally do not pause from day-to-day to remember that some of the critical principles underpinning that freedom such as the prohibition against arbitrary arrest, the right to be brought before a judge within 24 hours of being arrested, the right to be tried in public and the right to consult a lawyer who is not employed by the government of the day, are subject to the commands

of the government of the day all depend upon the existence of an independent legal profession.

He went on to say that the legal profession should not be covered by the proposed legislation because it intrudes into our independence and self-governance. He asked on behalf of the society that the government respect the independence of the legal profession and exclude it from the schedule in the act.

Later at the committee stage, our then-president of the Law Society made a submission that echoed those very same comments of Mr. Fineblit. Our president asked that we be exempt from the act because the independence of the legal profession is one of the fundamental underpinnings of a democratic society.

In the discussion that followed, there was reference to slippery slopes. That reference we submit was prescient warning because here we are some years later again stressing the importance of the independence of lawyers and the profession, and expressing concerns about this legislation.

At this point, we will briefly outline some of our concerns about specific sections of the bill. Section 5 requires a regulated profession to notify the director of proposed changes to its registration practices. It's our understanding that the government itself views this as a notification provision only. However, that section must be read in context of the whole bill to fully understand its implications.

Section 15.1(1), sets out the director's power on his or her own initiative to review registration practices and any proposed changes to the registration practices—and I'm going to insert ourselves here—of the Law Society, including the use of third parties to assess qualifications of application for the purpose of determining compliance with the act.

Advising the director of proposed changes may actually result in the minister exercising broad discretion to issue a compliance order under new section 15.4(1). We note with concern that it is an offence under the act to be in non-compliance. We are even more concerned about section 15.4(4) that prescribes what must be in a compliance order. It states that the order must set out any action the regulated profession must take to remedy the failure including, but not limited to making, amending or repealing any regulation, rule, bylaw, criteria used to assess whether requirements for registration have been met, or other measures specified in the order.

In other words, the minister may come to an opinion about the actions of the regulator, issue a compliance order, and make the regulator change the criteria it uses to assess whether registration requirements have been met. Other sections in the bill amount to further erosion of the authorities statutorily given to the Law Society to self-regulate in the public interest.

Section 8.1(1) of the bill states that a regulated profession must take reasonable steps to collaborate with education providers and employers to identify opportunities to develop programs that may assist not only internationally educated individuals, but also unsuccessful applicants in obtaining registration in their regulated profession; and then requires the regulator to develop programs that have been identified. This section is particularly concerning because it amounts to an intrusion upon our ability to determine the most appropriate and feasible manner in which we have to fulfill and should be fulfilling our public interest mandate.

We recognize that some on the committee may point to section 14(3) and say there is some protection set out in the bill because there is a limit on the involvement of the director. It says that the director must not become involved in a registration decision or an internal review or an appeal on behalf of an applicant or potential applicant. However, the proposed amendments authorize the government, we submit, to become involved in the regulatory practices themselves, and therefore potentially affect many decisions.

In preparing for our submission, we reviewed the comparable legislation in Nova Scotia and note that it takes a far more balanced approach. There are many sections that we feel warrant close consideration by this committee, as they are significantly different from sections in Bill 41. I will just briefly refer to a couple of them.

Section 14(2) sets out the review officer's ability to, I quote, recommend, end quote, to a regulating body that legislation or regulations be made, amended or revoked. Of course, this contrasts broadly to the authority—or, pardon me—this contrasts with the broad authority granted to the director in the bill that is before you.

Section 16 addresses what must be included in reports provided about registration, but notably, subsection (7) sets out specifically that the review officer may exempt a regulatory body from any of the stated reporting requirements.

Similarly, section 22(1) sets out that regulations may be made, but at subsection (c), there is again express authority to exempt any regulatory body from any provision of the act or of the regulations.

Finally, section 25 says: Notwithstanding anything in this act, the review officer does not have the authority to set a regulating body's standards or objective requirements to assess the qualifications of individuals applying for registration.

The Law Society is part of the Federation of Law Societies' national mobility agreement. The legal profession well understands the desire and need to remove barriers to ability, and all of the legal regulators in the country worked together for years on complex issues to craft an agreement that meets the need. We meet the mobility requirements contained in the Canada free trade agreement, and we are not against the removal of barriers to the extent that it is advisable to remove them.

We take our role to govern the profession and the public interest very seriously. One of our strategic objectives is to improve access to justice, and we have undertaken many initiatives to review—remove regulatory barriers to access. But we have to balance our objective to increase access with our statutory duty to protect the public. It must be the lens through which we consider all aspects of regulation. In that regard, we support the remarks earlier of Ms. Stansfield that public interest should always prevail over labour market mobility interests.

The Law Society has worked very well with the Fairness Commissioner over the course of many years now, and we very much appreciate the opportunity to continue to work co-operatively with the Fairness Commissioner on a go-forward basis.

We are very grateful as well for the opportunity to come before you this evening to express our concerns about the effect of the proposed amendments on the independence of the legal profession should the Law Society not be exempt from these amendments.

Mr. Chairperson: Thank you, Ms. Senft, for your presentation.

Do members of the committee have questions for the presenter?

Mr. Eichler: Thank you for taking time for your presentation. Lot of good information in there, some federally, some provincially, but overall very good comments. We appreciate it. And thanks for taking time out of your evening to be with us here tonight.

Mr. Chairperson: Ms. Senft, do you want to respond to the minister at all?

Ms. Senft: Just that it's our pleasure to be here.

Mr. Moses: Thank you very much for your presentation this evening, and thank you for providing the information on the effects this bill would have on the Law Society in Manitoba. I'm just asking, are you searching for—looking for an amendment to this bill that would exempt the Law Society from Bill 41? Is that what you're looking for? *[interjection]*

Mr. Chairperson: Ms. Senft, sorry. I have to acknowledge you first. So, Ms. Senft, go ahead.

Ms. Senft: Well, we did ask for that some 14 years ago and were unsuccessful—and arguing about recent concerns about the slippery slope, and here we are.

If that is the only way to exempt the Law Society from these new amendments, then I'd say yes. We will still do what we know we have to do and already do in the public interest. If there is some other way that you can come up with to ensure that we are exempt from all of these sections—the proposed amendments that cause us grave concerns—then we'd be open to that, of course.

Ms. Lamoureux: Thank you so much for your presentation. I really appreciate the thoroughness of it.

I was wondering, you talked about how—like, the importance of you're onboard, you want to remove barriers, and there's a right way, a correct way to remove these barriers.

I was wondering if you could share with us what some of those ways might be, if you have ideas of ways that we could approach that.

Ms. Senft: I was referring to a lot of our access initiatives such as even the bill that was—we spoke to a couple of weeks ago, The Legal Profession Amendment Act, where the Law Society itself asked the government to amend our act so that we could provide further exemptions to the unauthorized practise of law provisions, recognizing that there are all sorts of individuals out there who are providing important legal services, although they are not lawyers because they are meeting unmet legal needs.

And we also sought specifically in the government, and we are so grateful that the government responded to our requests, and have put in not only that amendment but also an amendment that would allow the Law Society to create a whole new category of legal service provider called a limited

practitioner, who would conceivably, we expect, to have far less of a need for as much education that a lawyer currently requires. You need, you know, your undergrad degree or at least two years, three years of law school, one year of articling, writing of the bar exams. Clearly, if we put a limited scope on that ability to practice, to provide some legal services, there wouldn't be the need to go through all of that.

That's one way that we are hoping to remove some barriers. We are still in our consultation period. We've received over 50 responses from the profession. We're awaiting some comments from the judiciary and then we have to go further to the public because that's who we have to serve in the public interest.

And sometimes we're on the difficult position where members of the profession might think, well, what are you doing? You're going too far. We went to law school, we did all these things. And we say, you know what, that's not for us to be concerned about. Our concern, our statutory mandate, is to protect the public.

The corollary to that is we have to make sure that even limited practitioners have some idea what they are doing, and they're competent to provide services within the limited scope that we imagine.

So it's this balancing act that is so critically important, and we know that removing regulatory barriers is a good thing. We support it. In fact, as I said, all of the law societies did. You know, and we commend all of them for working hard at that effort. But we have to always keep the public interest at the forefront over any concerns about economic interests and labour mobility interests.

Mr. Chairperson: Are there any other members of the committee with questions?

Seeing none, then I thank you very much, Ms. Senft, for your presentation today.

That concludes the list of presenters for Bill 41.

Bill 61—The Apprenticeship and Certification Amendment Act

Mr. Chairperson: We will now move on to the presenters for Bill 61.

So I'll now call on Tanya Palson, private citizen, and ask the moderator to invite them into the meeting.

Ms. Palson, I ask that you unmute yourself and turn your video on. Okay, I can see you now, so I

welcome you to the—to this committee, and you may now proceed with your presentation.

Thank you.

Ms. Tanya Palson (Private Citizen): Thank you for having me and allowing me to speak today. My name is Tanya Palson, I am here speaking as a concerned private citizen, as well as contributing statements on behalf of Manitoba Building Trades, and our 13 member unions. Together, with our affiliate unions, we represent roughly 10,000 skilled trades professionals.

And I'll be speaking generally in favour of changes and modernization to the structure of Apprenticeship Manitoba that we see in Bill 61, while at the same time addressing some existing concerns from our segment of the construction industry.

Manitoba Building Trades—as a private sector entity, we work as a human resource and project partner with many of the large, unionized general contractors in Manitoba. We're the only construction association that represents the needs and interests of on-the-tool workers specifically and solely.

Our tradespeople work in the industrial, commercial and institutional sectors of the construction industry, so they build big. They're the ones who build schools, hospitals, entertainment complexes, power generating stations and more of the critical infrastructure our province relies on.

And while we represent such a large labour force and deal with members in the apprenticeship system every day, we and many of our largest employers and employer associations recently found ourselves—without consultation and without notice—dealing with extensive and detrimental changes to apprenticeship ratios, supervisions and designations past the regulation changes.

* (19:50)

That many motions were passed by the apprenticeship board in February of 2020 and a few of those motions were signed off as regulation and came into effect in mid-December and yet neither of the building trades or our employers were aware of these changes until mid-January, 2021.

I believe—and I use this as an example to demonstrate just how broken and detached from industry Manitoba Apprenticeship has become. So we are indeed supportive of this bill on the ground that Bill 61 does move in the right direction by addressing transparency in consultation with industry. It can't be

argued that the apprenticeship system is due for an update.

However, there are many unknowns and we have been unable to receive clarity on a few concerns that I believe this committee should be aware of. One is, you know, will the construction industry receive proportional representation to the amount of apprentices they represent either as board members, committee members or within the proposed industry groups?

Various—secondly, various types of construction projects—residential, commercial, industrial and heavy road construction—all have vastly different methods of operations, skill requirements and apprenticeship needs. It should not be considered a full consultation without consideration given to this reality in our sector and, up to date, that hasn't been so. The apprenticeship board, the department and the government will miss critical information from segments of the industry if, for example, a residential-construction representative were advising on regulations that will impact industrial electricians working at an industrial plant. You know, wiring a home and wiring a hydro dam are two entirely different undertakings with entirely different risks.

Thirdly, Bill 61 enables the board to establish standards of training and practical experience for programs. Therefore, it is critical that a process for voices of journeypersons and on-the-ground supervisors be represented within the apprenticeship system. This is something that is lacking at the current board as it stands, and there—sorry, and based on the text of Bill 61, it is either unclear or lacking consideration to the board-appointment process to make sure that the people with the job-set experience are having the voice at the table proportionate to the amount of apprentices they represent.

Again, while it's important that changes are made to the current system, it's just as important to make sure these changes have the desired effect on actually improving the system, approving accountability and improving apprenticeship overall.

Right now in Canada—and the same applies to Manitoba—the average age of apprentices entering into the system is 30 years old. That's 10 years of critical learning after high school where, you know, multiple barriers in either lifestyle or access to education or financial situations can become a barrier to getting back into an apprenticeship system at that age.

Also, nationally, our apprenticeship completion rate is only 50 per cent. So, not that this bill specifically relates to that but if it were to approach those changes, we need to have all the voices at the table and getting more voices at the table will help you make the best decision possible.

So I just hope that that is considered as Bill 61 goes forward and, again, we hope that it does and I hope that my—I hope that the committee has heard and considers my statements.

So, thank you for your time and I'm happy to take any questions.

Mr. Chairperson: Thank you, Ms. Palson, for your presentation.

Do members of the committee have questions for the presenter?

Hon. Ralph Eichler (Minister of Economic Development and Jobs): Thanks, Ms. Palson, for your presentation. Of course, I'm not sure you're aware but we've been working on the side of legislative change for the last two years. So, it started by a previous minister; it carried on by myself. So thank you for taking time this evening. Very informative and I look forward to working together as we move forward.

Mr. Chairperson: Ms. Palson, would you like to respond to the minister?

Ms. Palson: No, thank you. I'm good.

Mr. Chairperson: All right—Mr.—Moses—brain fart—thank you. Mr. Moses, you can ask your question.

Mr. Jamie Moses (St. Vital): Thank you. I'm very much appreciative of the time you spent this evening and so thank you for your presentation, Ms. Palson.

I'm very interested to hear your comments on the ratio changes that took place in December. You spoke a little bit about that in your presentation. I know they were concerning for many people involved in the apprenticeships so I'd like to hear your thoughts on that, and specifically how it relates to this current bill, Bill 61.

Ms. Palson: Thank you, Jamie Moses.

I have a couple of thoughts on this, for sure. I mean, it is actually interesting to—and I wasn't aware that this bill has been in the works for a couple of years, which is good to know, but also raises additional concern as to why the apprenticeship ratio's

changed from one-to-one to two-to-one, just three months short of this bill being introduced.

Again, this bill does not directly relate to the ratios; it relates more to the governance of Apprenticeship Manitoba. But we just saw probably the most substantial change we have seen and will see in decades, which is changing the ratios overnight, and as I mentioned in my statement, we weren't aware. Most of our employers weren't aware. Most of our employer associations, both union and non-union, were not aware of the change coming through.

Meanwhile, 61 shows that there is an admittance that the consultation with industry has been lacking, and yet the most critical change that we've had in the apprenticeship system in a decade has come through before we're given the chance for Bill 61 to hopefully reform some of the issues that I've pointed out.

So I know our group is consistent on pushing the message to hold that regulation change, although it has gone through, to allow for some of the positive aspects of Bill 61 to come forward. The two-to-one ratios will result in many, many journeymen being laid off, as they'll be replaced by 'accrineship'—apprentices. We don't have the current project volume or demand right now in our market; something from a one-to-one to a two-to-one ratio works really well when you have so, so much work and you don't have enough people to fill the jobs locally. That's not the case right now.

One of our biggest projects, Keeyask, is winding down and we don't really have any other major infrastructure investment that is confirmed for the next, you know, looking ahead for the next few years.

So, what's going to happen is there's going to be a lower wage rate drive down, basically lowering your average crew rate with more apprentices, letting journeymen go. This is going to decrease the amount of training available for apprentices, the quality of training available. It'll increase safety risks on job sites and it's just not a good move right now.

That is my opinion. That is the opinion of Manitoba Building Trades. I believe other people will be speaking to that tonight, as well. But, specifically, that we are happy to see what's moving forward in Bill 61. We just question why the two-to-one ratio was put in just three months before we were 'supposedly' redoing the system, admitting that it's not good at industry consultation.

So that's what I have to say on that.

Thank you.

Mr. Chairperson: Thank you, Ms. Palson.

Ms. Lamoureux, you've got 40 seconds remaining on the clock.

Ms. Cindy Lamoureux (Tyndall Park): Okay, thank you Mr. Chair, and thank you so much for your presentation.

Just to sort of continue on with what you were talking about with the two-to-one ratio, would you say that this is sort of the biggest downfall of the legislation and would there be merit to having further consultation and debate on this legislation, if it meant pushing the legislation off for six months or a year, whatever it may be?

Mr. Chairperson: Ms. Palson, 15 seconds.

Ms. Palson: I would say that the regulation for the apprenticeship ratio has already come through. We would ask that the regulation be changed back to one-to-one, to allow Bill 61 to continue going forward as is, and wait to make a regulation change once there's a new consultation process set up.

Mr. Chairperson: All right, I thank you very much, Ms. Palson, for your presentation and we've now come to the end of the time allotted for questions to you.

So I will now move to the next presenter. And I'm going to call on Ramona Coey from the Mechanical Contractors Association of Manitoba.

I'll remind the members that previously, when we weren't sure if Ms. Coey could join us, we did agree to have her presentation added into the Hansard, but she is available to present in person, so I now ask the moderator to invite Ms. Coey into the meeting.

And, Ramona Coey, I think I can see you. Yes, there we go.

Ms. Ramona Coey (Mechanical Contractors Association of Manitoba): Wonderful.

Mr. Chairperson: And so I just ask that you now proceed with your presentation, whether or not you have hydro.

Ms. Coey: Yes, I was sitting here in the dark, so thank you, Mr. Chairman, committee members. Thank you for the opportunity to present this evening. My name is Ramona Coey and I represent the Mechanical Contractors Association of Manitoba.

* (20:00)

MCAM, as we are known, is a provincial trade association who has represented the mechanical—Manitoba's mechanical industry for over 50 years. Our members represent a cross-spectrum of the mechanical industry; rural, urban, union, non-union, contractors, suppliers and sub-trades.

Mechanical contractors and the tradespeople we employ construct and service the mechanical systems of Manitoba's residential, institutional, commercial and industrial vertical infrastructure. The Mechanical Contractors Association supports government's efforts to modernize Manitoba's apprenticeship system.

We appreciated and participated in the 2017 governance review. We appreciated and participated in the department's review of Bill 61 on March 3rd.

Government's intentions to create a modernized apprenticeship system which embraces a culture of effective and efficient engagement of stakeholders, reduction of red tape and administrative burden, responsiveness and transparency was clear.

MCAM has identified opportunities to strengthen the text of Bill 61, ensuring government's intentions are met not only by the current government, staff and board, but also by those who serve in those positions in the years to come.

MCAM's intentions, rationale and suggested amendments are provided to you in our briefing. This briefing has been circulated to you by the committee clerk and I would ask, as Minister Eichler has asked earlier on my behalf, that it be included in the Hansard.

This briefing outlines three amendments. I will touch on them just briefly and then open it for questions.

The text of Bill 61 does not support government's intentions regarding the duty to consult through sector-based committees. On the March—at the March 3rd overview, there was a very clear intention that government expected the apprenticeship system to structure a duty to consult through sector-based—

Mr. Chairperson: All right, I think we may have lost Ms. Coey. I don't know if you're able to hear us at all, but we're not able to hear you at the moment.

Perhaps if you can hear us, if you try turning your video off, that might enable us to get audio back and then we can perhaps proceed.

Mr. Tom Lindsey (Flin Flon): I request leave for Ms. Palson to return—

Mr. Chairperson: Ms. Coey.

Mr. Lindsey: I'm sorry. Wrong name. For Ramona Coey to return later in the presentation once she has managed to re-establish her connection.

Mr. Chairperson: Is that—is there leave from the committee to allow her to reconnect at some future moment? We're at about—just three minutes or so into her presentation. *[Agreed]*

Thank you. Leave has been granted.

Then, for now, I guess we will move onto our next presenter. I will now call on Kyle Kalcsics and ask the moderator to allow them into the—invite them into the meeting.

Kyle Kacsics *[phonetic]* from Local 254, Plumbers and Pipe Fitters, please unmute yourself and turn your video on. I see you there now. You may proceed with your presentation.

Mr. Kyle Kalcsics (Plumbers and Pipe Fitters Local 254): Good evening. Thanks for your time. I'm Kyle Kalcsics, business manager of local 254. We have approximately 1,300 members that either have been through an apprenticeship or are currently in apprenticeships.

I'm generally in favour of the changes and modernization to the structure of Apprenticeship Manitoba. We need to give the apprentices the best opportunities to succeed. Some of the recent changes are not benefitting them, such as the change to ratios, as was brought up earlier.

This raises concern for the health and safety and supervision of apprenticeship. To us, apprenticeship is mentorship, and changing the ratios doesn't do that.

We have seen the impacts recently on the lack of proper industry consultation with regards to regulation changes that will negatively impact the skilled trades workers and our sector as a whole. Bill 61 appears to move in the right direction by addressing transparency and consultation with the industry.

However, there are many unknowns that we've—unable to receive clarity on, concerns that—this concerns—that the committee should be aware of.

Will the construction industry receive proportional representation to the number of apprentices that they represent, either as board members, committee members, or industry representatives, PACs, as we knew them—Provincial Advisory Committees—or to have balance, employee and employer representatives. With the removal of the PACs, will there be

some similarity, meaning providing the proper exposure?

Various types of construction projects, as was talked about earlier as well—residential, commercial, industrial and heavy construction—have vastly different methods of operation and skill requirements and apprenticeship needs. It should not be considered proper if the department will miss critical information on segments of the industry.

So, for example, if a residential construction representative were to be advising on regulations that will impact industrial projects such as our members, steamfitters, plumbers, refrigeration tradespersons, on a project such as Roquette, it's much different than a residential project.

Bill 61 enables the board to establish standards of training and practical experience for 'progracs.' Therefore, it is critical that the process for the voices of journeypersons and in-the-field supervisors to be represented within the apprenticeship system. This is something that's lacking as the current board, as it stands.

Once again, I agree, while it's important that the changes are made to the current system, it is important to make sure that the changes have the desired effect of improving the system and proving accountability and getting more voices at the table to make the best decisions possible.

I hope the committee has heard what I have to say and I now take time to answer any questions.

Mr. Chairperson: Thank you, Mr. Kalcsics, for your presentation.

I would ask if members of the committee have questions for this presenter?

Mr. Eichler: Yes. Thanks, Mr. Chair. Thank you for your presentation.

Your point's well made. I'm a welder, but I'm not really a welder. I have a class I licence but I'm not really a truck driver. Your points are well made. I want to thank you for taking time and we appreciate your support and look forward to working with you on the finalization of this bill.

Mr. Chairperson: Mr. Kalcsics, would you like to respond to the minister at all?

Mr. Kalcsics: I appreciate the recognition. Thank you.

Mr. Lindsey: So, one of the previous presenters, Tanya Palson, had—perhaps it was Ramona Coey—I

can't remember which one now—they made a suggestion that there's a part in Bill 61 that really weakens or loses the duty to consult with people such as yourself.

So, would you like to see an amendment so that, rather than saying that they may consult, that they must consult, or they will consult? Would that amendment make some sense to you, to guarantee that they actually sit down and talk to you, not necessarily that they do everything you want, but at least you have the opportunity then?

Mr. Kalcsics: Absolutely. That would definitely help. At the end of the day, we all should want the safety of apprenticeships—apprentices and have the most effective apprenticeship system.

So, by consulting with industry experts, you know, such as myself, like you say, many years of service as well as overseeing, so absolutely.

Mr. Lindsey: I want to recognize your comments around the ratios and that's why I brought up the part about getting consultation guaranteed back into this Bill 61, because we know that there was no consultation when they changed the ratios, that it happened in the dead of night just before Christmas and it was only by happenstance that somebody happened to notice it.

* (20:10)

So, I just wanted to make sure that the minister understands how important it is to have people with the right qualifications being listened to as part of this whole process, and there's committees that are talked about that—is there anything you would like to see there that really makes sure that the right people are on those committees determining what the trade qualifications or the apprenticeship qualifications would be? Is there anything missing there?

Mr. Kalcsics: As I stated earlier as well, you know, apprenticeship is mentorship. And by changing those ratios the mentorship is less. I don't think anybody can disagree with that. And, with it being less, that's what poses safety risks as we're suggesting. And, absolutely, industry should be consulted wholly. And, you know what, when people like myself speak, we speak on behalf of tradespeople, it's not about union or non-union, it's about tradespeople and apprenticeship safety.

Mr. Chairperson: Thank you.

Is there any other members of the committee that have a question for the presenter?

I'm just going to give a moment to see if Ms. Lamoureux maybe got booted out and now she's back.

Ms. Lamoureux, would you like to ask a question of Mr. Kalcsics?

Ms. Lamoureux: I appreciate you checking in on me there.

I don't have a specific question, I just want to thank Mr. Kalcsics for his presentation today and making it a little bit more relatable, and having the minister also be able to account for himself within the presentation.

Thank you.

Mr. Chairperson: Mr. Kalcsics, any response to that?

Mr. Kalcsics: Much appreciated. As I said, this is about the safety of the apprentices and anything that we're dealing with will help. If I say, if there's more input and more guidance from all industry, that will provide a better product at the end of the day. And that's what we all want.

Mr. Chairperson: Thank you, Mr. Kalcsics.

Are there any other questions from other members of the committee?

Seeing none, then I thank you very much for your presentation.

And we will now revert back, I believe, to the seven minutes remaining, to Ms. Coey if we are able to admit Ms. Coey back into the meeting. So I'd ask the moderator to invite her back into the meeting.

And, Ms. Coey, I just ask that you unmute yourself and turn your video on. There you are again, and hopefully we're able to continue. You have about seven minutes remaining, please proceed.

Ms. Coey: Wonderful, thank you. And I can see that you can see that I am sitting here in the dark so this is nice.

I will just—I'm not sure exactly where our connection was lost—so, essentially, our association has three suggested amendments. First was that, that the text of the bill does not support government's intentions. We heard loud and clear that the government feels they're responsible to consult the industry and we don't feel that the text supports that. Through the implementation of the sector-based committees as outlined in the overview on March 3rd, MCAM has provided minor amendments to—or suggested minor amendments to clauses 8 and 9.

These amendments will strengthen the bill to be in line with those intentions.

Second, the wording of the act does not support the intention of transitioning voluntary trade programs effectively from the regulations to bylaws. Again, a minor amendment to clause 8 will recapture this intention.

The final amendment that we would propose concerns clause 9.3, programs for Red Seal trades. MCAM members appreciate the Red Seal Program. MCAM respects the work of the Canadian Council of Directors of Apprenticeship. MCAM agrees consideration should be provided to the Red Seal Program when developing local trade programs; however, the implications of aligning our apprenticeship program with the Red Seal Program without jurisdictional consideration and authentic stakeholder input is not workable.

Manitoba's apprenticeship programs are enviable. We should not legislatively abdicate our right to control or have significant influence over them. MCAM has provided a workable amendment for clause 9.3. In the spirit of the opportunity for direct public input in the legislative process, MCAM provides my comments and a circulated briefing for due consideration by the committee.

Are there questions?

Mr. Chairperson: Thank you, Ms. Coey, for your presentation.

And now I would ask if members of the committee have any questions for the presenter.

Mr. Eichler: Ms. Coey, thank you for persevering through your struggles. We know how important power is and, of course, the social media and our connectivity to be able to present and share our views.

So, thanks for taking time and I hope that you enjoy the rest of your evening and you get your power back on real soon.

Mr. Chairperson: Ms. Coey, do you—would you like to respond to the minister?

Ms. Coey: Thank you for that. Thank you for allowing me to come back on, Minister Eichler and Mr. Chair and committee.

And I sincerely hope that the intentions by which you presented Bill 16 to the industry—and that came through with your consultation efforts in the governance review—and the feedback that you've

received are captured through potential amendments by the committee to Bill 61.

Mr. Lindsey: Thank you for your presentation. I just—can you expound a little more on your third suggested amendment, just between the Red Seal occupation and the National Occupational Analysis?

What exactly is missing that we should be trying to capture in this regulation?

Ms. Coey: Thank you. So, absolutely, clause 9.3 dictates a Manitoba trade program which has been designated for inclusion, yes, in the Red Seal Program must not be inconsistent with a Red Seal Occupational Standard or National Occupational Analysis for the trade.

Our industry suggests that that abdicates government from the responsibility to consult, it provides no flexibility for jurisdictional amendments and we believe that we—while respecting the Red Seal Program—have suggested amendments to the committee that provide for flexibility to consider the Red Seal Program and the efforts to harmonize with our—across the provinces to achieve labour mobility while, at the same time, maintaining the high standards that Manitoba is known for within their trades.

The construction industry has one of the lowest profit margins—2 per cent. The No. 1 contributing factor to that 'profitability' is labour impacts to the apprenticeship system that affect labour productivity, such as blanket amendments that are not based on jurisdictional consultation is—will degrade that competitive advantage that Manitoba has when we go to the owners and say we have a labour force that can build your vertical infrastructure that you're looking for.

So—

Mr. Lindsey: Just to summarize, you had kind of seen the National Occupation Analysis more as the minimum standard but, in Manitoba, we could potentially do things over and above that that would really put our Red Seal tradespeople at a better advantage, not just in Manitoba but getting work in any jurisdiction, plus it would provide a better level of tradesmen. Is that kind of it, in a nutshell?

Ms. Coey: Well, those are a lot of statements that, I mean, we could go into a lot of great detail on and I wouldn't want to say that I agree or disagree with all of them.

What I would say is that the goal of harmonization, I believe, was to—was a good intention to

address labour mobility, and we can appreciate that. However, we do not believe that labour mobility should be addressed through systemic change. We believe that the system should be structured in a way that can provide flexibility to address labour mobility, as opposed to a blanket change and harmonization to, essentially, a standard that the local industry has no input on.

* (20:20)

The Canadian council of directors of apprentices, you know, are made up of the directors of all the provinces, and we have one voice there. And if we're going to abdicate our control to structure our programs by just saying that we'll hand that over to the Red Seal Program and the council, then we're really not staying in line with that duty to consult and addressing the needs of the Manitoba market and maintaining the standard that we are so proud of here in Manitoba and what attracts the investment that gives Minister Eichler the ability to go to the Roquettes and say, you can invest here.

Mr. Chairperson: Thank you, Ms. Coey. That concludes the amount of time that we have for questions for you.

Now, going to proceed to the next presenter. So I'll call Marc Lafond from OE 987 and ask the moderator to invite them into the meeting.

Marc Lafond, I ask that you unmute yourself and turn your video on.

All right, we can see you now, so I ask that you please proceed with your presentation, up to 10 minutes.

Thank you.

Mr. Marc Lafond (Operating Engineers Local 987): Thank you and good evening—for providing me an opportunity to speak to committee on this bill.

My name is Marc Lafond. I'm the business manager of the Operating Engineers Local 987. We are a trade union representing about 1,400 people in the province of Manitoba. Members of our local union are crane operators, mechanics, pipeliners, heavy equipment operators and stationary engineers. The ones that participate in apprenticeship are mainly crane operators and mechanics.

At this time, I'm neither here to speak in favour of the bill nor in opposition of it. I will start off by saying I attended the stakeholder briefing of Bill 61 on

March 3rd. At the time, government rolled out its contents of Bill 61.

What struck me from the presentation and the subsequent questions afterward was the fact that the bill and its contents didn't seem to be wholly thought out or worked through. One of the attendees had a genuine question at the time—sorry—and the presenters couldn't answer his question. And the question was something to this extent: Being—construction being one of the largest proportions of apprenticeship, approximately 90 per cent, and given the fact that the intent of the bill is going towards an industry working group, how many people from the construction side of things are going to be on this working group? Will they receive a proportionate share of the seats? Will the government be choosing these people? And what is the definition of the industry working group?

Under the existing structure, PACs, or Provincial Advisory Committees, were intended to create a direct link to the trade via employer and employee representation. We understand that PACs did not always function effectively and needed an update. If sector-based committees are to replace PACs, we'd highly recommend that they work and be given more force and influence; otherwise, we will end up in the exact same problem we were trying to solve, as the apprenticeship board is under no greater obligation to accept any recommendations from SBCs, going forward.

There seems to have—be a lot going on with respect to apprenticeship these days: the repealing of apprenticeship opportunity act, ratio adjustments and now this. I do not necessarily understand why we need to tinker with a system that has been, that is, and if left alone, will continue to be an exemplary one across Canada.

My fear is that this legislation will potentially lead to less transparency, less worker engagement and less worker input and potentially watering down of the individual trades in eventuality. However, I do acknowledge that some changes are needed to take place.

I love the apprenticeship system. I am a product of it. I'm a very proud journey person in the crane and hoisting trade. I'm also—had the privilege of sitting on the apprenticeship board for many years and thought the experience was rewarding and we did—got a lot done at the time.

Thank you.

Mr. Chairperson: Thank you, Mr. Lafond, for your presentation.

I'll now ask the members of the committee if they have any questions for this presenter.

Mr. Eichler: Yes, thank you for taking time. Appreciate your dedication to what you do for your organization, so thanks again for the good information put forward.

Mr. Lafond: Thank you, Minister.

Mr. Lindsey: Thank you for your presentation and thank you for taking time to join us here and really talk about your experience as a tradesman and how it relates to the whole apprenticeship board.

If you had the opportunity to make changes to this particular piece of legislation, is there anything that you would like to see that isn't in here? We've heard other people talk about there needs to be more of a guarantee that the consultation takes part.

You've talked a little bit about some of these committees. Is there anything you would like to see more structured around what the committees should be made up of?

Mr. Lafond: Very good question, and I understand why they were going towards a 15-person committee or board to a 12 going forward, and in the past there was—and I talk about in my presentation, you know, consultation with journeypeople, people that actually have boots on the ground, appreciating the fact that, yes, industry does a really good job, and I guess the reality is at the board level there was difficulties having participation from the worker group because, as you could imagine, you know, people like myself could sit at the board level and take a leave of absence from my day job, but they weren't as necessarily privileged to do that.

So, in absence of, you know, where we want it—or where the government wants to take things, I don't know where you strike the right balance with regard to still getting that worker sort of perspective and engagement while still being reasonable with people's time and expectations. So that's one pitfall, and I appreciate that one.

The other one is, as I suggested, is the devil's going to be in the details as far as making sure that there is an appropriate share and acknowledgment of certain sectors that are the lion's share of apprenticeship and making sure that those voices, which take up most of the seats, are heard.

Mr. Lindsey: Thank you for that. I guess, really, the—as opposed to taking apprentices off of these committees, would we be further ahead to put something in that somehow guaranteed those particular members of the committee time away from work without penalizing them on their whole apprenticeship timeline and pay for attending that just so we don't lose that voice? Would that be a better way of proceeding as opposed to just not having their voice there at all?

Mr. Lafond: In a perfect world, absolutely, unequivocally. And I guess—again, I may be more of a realist than anything else. The reality is the board 'renumeration' structure is as such that I think—I can't remember at the time, but it was a half-day meeting was 170 bucks and a full-day meeting is 320 bucks—but most of these people make far more than that, and unless we change the board 'renumeration' structure, yes, I don't know. That's a difficult one.

But in a utopian world, absolutely. They could take a leave of absence without any sort of loss of pay, to have those voices heard.

Mr. Lindsey: And I guess we can live in a perfect world here because we're in the process—the government is in the process of introducing a new piece of legislation on how it affects apprenticeships. So now would be the opportunity for them to put things in that legislation that maybe doesn't make a perfect world, but comes closer to making it work for everybody.

* (20:30)

So I just wanted to comment that I think maybe with the suggestions that you've made, maybe there are amendments that could be made that would make it a better piece of legislation.

Mr. Chairperson: Mr. Lafond, any response?

Mr. Lafond: I can't agree any more. I mean, if there's an opportunity to do so, let's do it right.

Mr. Chairperson: Any other members of the committee have questions?

Ms. Lamoureux: Thank you, Mr. Lafond, for your presentation.

I really appreciate the transparency you brought in coming forward and sharing with us that you're not on either side of the bill, per se. That allows us to sort of talk very communally with someone nonbiased to the bill and the legislation.

And I guess, then, my question for you is: thinking about these unanswered questions that you mentioned and others have expressed and just the need for clarity and defining some terms in the legislation, do you think that there would be some merit in further consultation branching out a little bit more, maybe pushing back the legislation a little bit if that meant we could talk with more people prior to continuing on?

Mr. Lafond: Thank you for that question and comment.

So, yes, absolutely. I mean, I think at this juncture in time it's a little rushed. I think if we just pump the brakes a little bit.

And, you know, I'm speaking from the viewpoint of my stakeholder group, and there are others, and there—you'll hear of others tonight of different stakeholder groups. And I think we should just come together and take the time necessary to get it right because I think apprenticeship is a visceral sort of subject and it's something that we're really, really proud of in Manitoba, as Ms. Coey said.

So, yes, I mean, if we take the time necessary, I think that would be a good thing.

Mr. Chairperson: All right, thank you, Mr. Lafond, for your presentation and for the answers that you gave to questions posed to you.

I will now move to the next presenter. I will call on Aarti Sharma, private citizen, and ask the moderator to invite them into the meeting. And I ask that they unmute themselves and turn their video on.

Ms. Sharma, hello. Welcome to the committee. You can proceed with your presentation, up to 10 minutes.

Ms. Aarti Sharma (Private Citizen): Hi, my name is Aarti Sharma, I am a member from the community and a proud member of two trade unions. I'm here speaking generally somewhat in favour of the changes and modernization to the structure of Apprenticeship Manitoba. Though I appreciate the transparency aspect of the proposed changes, I do want to briefly share some of my own views and experiences.

Mr. Vice-Chairperson in the Chair

I'll first start off by saying that I don't come from the trades per se. I have assisted fellow members, fellow brothers and sisters, in trying to challenge the Red Seal and trying to challenge—trying to get in as apprentices. So, based on my own personal

experiences, there were barriers that I personally faced in trying to assist my fellow members in getting their Red Seal, either by challenging the exam or signing up as an apprentice.

Information was not consistently given by the apprenticeship representatives, both the trade qualifier rep and the trade-specific representative; frustrations regarding the paperwork being received by the ministry; lack of clear communication from all levels of the apprenticeship branch; hours not being recognized for, you know, the apprentices; delays in contacting employers to get hours confirmed; employers getting frustrated with the process, et cetera, et cetera. The line—the list goes on, and I am sure I have sprouted grey hairs from that experience.

So, with Bill 61—Bill 61 does move in the right direction by addressing transparency in consultation with industry alongside streamlining some of the processes. However, there are many unknowns, as the previous speakers have also touched on. And we have been unable to receive clarity on a few concerns that the committee should be aware of.

And, again, I know that Kyle and Tanya and Ramona, as well as Marc, have touched on this, but a goal of the construction industry to receive proportional representation to the amount of apprentices that they will represent, either as board members, community members or industry representatives. Who would make these decisions? The minister? Who would the minister consult with in gathering appropriate information related to apprenticeship?

Various types of construction projects, residential, commercial, industrial and heavy road construction, have vastly different methods of operations, skill requirements, apprenticeship needs and so forth. With that said, can you define a full consultation? What does that look like? The concern is that the minister, the board, the departments and the government will miss information advising—critical information advising on fragments of the industry—you know, basically to say, like—

The best way that I can put it is, you know, you don't want a 'podiatist'—a podiatrist to determine, you know your course of action related to, you know, if you had a heart issue. Same way you wouldn't want someone from the residential construction representative, you know, making decisions related to an industrial industry, I guess you can say.

Bill 61 enables primarily the minister and the board to establish standards of training and practical experiences for programs. I appreciate the bill wanting to streamline processes such as reducing the updating of program standards that currently take two and a half years.

However, it is just as critical that a process for voices of journeymen and the ground supervisors to be represented within the apprenticeship system. This is something that is lacking at the current board. These individuals know what happens in the field and should be included in such consultations.

While such changes are important to progress, we do need to ensure that these changes have the required effect of improving the system, enhancing accountability and making sure the voices at the table make the best decisions for each respective trade and industry.

Please take the required time. Bring forward representatives, stakeholders and ministry experts and so forth to come up with a solid plan that addresses the questions brought forward by myself and the others that have spoken and the ones that will be speaking at this gathering. Thank you.

Mr. Vice-Chairperson: Thank you for your presentation, Ms. Sharma. We will now move on to questions.

Mr. Eichler: Ms. Sharma, thank you for your presentation.

We've heard loud and clear from a number of presenters and through our consultation process that time is important. They're getting the lower wage; they want to get their certifications; all your points you've made I've heard over and over again.

And it's really important we get this right. So, thank you for your presentation. Thanks for coming up tonight.

Mr. Vice-Chairperson: Ms. Sharma, do you have any response for the minister?

Ms. Sharma: Well, I thank you for your time as well. Thank you.

Mr. Lindsey: Thank you for coming out and taking time to present tonight. Certainly appreciate hearing your perspective.

Some other speakers earlier had suggested potentially some amendments that wouldn't necessarily slow this process down, it would just make it

better. We have the ability to make amendments at the report stage before the legislation is passed.

Is there any specific thing that you think we should be adding as an amendment or changing as an amendment, not to slow the passage up but just to make it a better bill at the end of the day?

Ms. Sharma: I think that's a—previous speakers have touched on. I think that, you know, again, the consultation aspect is crucially important. Getting the proper stakeholders, the proper industry experts involved, as well as a—the workers in the field.

And I do think that, as the person spoke before me, I think this process so far—it does appear that it is a bit rushed. So take the necessary time to come up with the, you know, with the—I guess, a clearer and more solid plan in regard to this legislation. I think that's where I would leave it at.

Mr. Vice-Chairperson: Ms. Lamoureux, did you have any questions?

Ms. Lamoureux: No, I don't have any questions, but I'd like to thank Ms. Sharma for her presentation and agree there might be some benefit to slowing this process down a little bit. Clearly, there are lots of different opinions throughout the province on the bill, and it all—everyone seems to be on the same page, whether they're for the bill or against the bill.

At least, as of right now, there are further things that need to be defined and that are understood first. Thanks.

Ms. Sharma: Thank you, Ms. Lamoureux, for your words. Thank you.

Mr. Lindsey: Not so much as question as a comment.

I don't think we've heard anybody say they want to slow this bill down, it's just—let's make sure we get it right. This is the opportunity. So, if there's things we can do, let's make some amendments that hopefully the minister will agree make for a better piece of legislation, and we can still get it past in a timely fashion.

So, thank you very much for your presentation and your comments.

Mr. Vice-Chairperson: Ms. Sharma, do you have any more comments?

Ms. Sharma: No. I appreciate everyone taking the time to hear me out and thank you, Mr. Lindsey, as well for your words.

Mr. Vice-Chairperson: Are there any other questions for Ms. Sharma?

* (20:40)

Seeing none, we thank Ms. Sharma for her presentation and we'll move on to the next presenter.

I will now call on Norman Rosenbaum, private citizen.

Mr. Rosenbaum, could you please turn on your video and audio? Mr. Rosenbaum does not seem to be present, so we will move him to the bottom of the list and when we go through the rest of the presenters, we will call him once again.

I will now move to Mr. Kevin Rebeck, Manitoba Federation of Labour. Mr. Rebeck, if you're there, could you please turn on your video and audio?

Mr. Rebeck, you may proceed with your presentation, if you are ready.

Mr. Kevin Rebeck (Manitoba Federation of Labour): Yes, the Manitoba Federation of Labour is Manitoba's central labour body, representing the interests of more than 100,000 unionized workers in the province.

We're disappointed with Bill 61 and this government's overall approach to apprenticeship, including health and safety protections and opportunity for good, family-supporting jobs. This bill seems rushed and can limit stakeholder voices. This is especially concerning because this government's track record has been to chip away at protections and opportunities for homegrown apprentices, making it less appealing to stay and develop their skills and make their livelihood here in Manitoba.

Over the past six months, this government's significantly weakened health and safety protections for apprentices by increasing ratios to reduce training health and safety supervision; going so far as to allow some employers to have employees working alone with only phone access to a journeyperson supervisor. These changes are at odds with the common sense understanding that employers have a responsibility to protect and educate young workers as they develop their knowledge and skills in and around dangerous worksites and equipment.

Some 80 per cent of apprenticeship is learning on the job and removing direct one-to-one supervision and mentorship, we fear, will only lead to more injuries and deaths for Manitoba's young workers. This government also moved quickly this winter to

repeal the apprenticeship opportunity act that guaranteed apprentices position—employment on public contracts, ensuring that there was opportunity to work, learn and make a livelihood here in Manitoba. In repealing this bill, this government directly contradicts any support Bill 61 reports have for Manitoba's apprenticeship system, for apprentices themselves or Manitoba's construction industry.

Bill 61 looks to continue this trend of destabilization by centralizing its decision-making abilities in the hands of the minister and limiting stakeholder input or participation. This bill gives authority to the minister to designate and certify new trades, cuts the number of members on the apprenticeship board, while also eliminating provincial advisory committees in favour of industry-sector-only or ad hoc committees. This means lessening community voices at the board level while at the same time giving a smaller group greater power to designate the makeup of new committees with greater authority.

Provincial advisory committees were mandated to have a balance of employee and employer representatives. Your new system has no such requirement and can leave out and silence worker voices. Provincial adviser committees are made up of employee and employer representatives with an interest and expertise in the trade or designated occupation. Your new model allows several trades or occupations to be bundled together; the only requirement being they enable parties to provide input into changes the committee plans. These changes signal that the apprenticeship system in Manitoba will be less open to all stakeholders with a potential for less transparency in decision making and the setting of standards.

Mr. Chairperson in the Chair

Manitoba's apprentices will play a vital role on Manitoba's economic recovery. They have a future that will literally rebuild our province once the pandemic's over. Investing in a strong apprenticeship system that creates skilled apprentices will benefit our whole province. Unfortunately, the actions of this government say they believe otherwise.

Bill 61 weakens an apprenticeship system that should be expanded and strengthened. At best, this bill's a missed opportunity to invest in apprenticeship in Manitoba and, at worst, it'll be a contributing factor in stemming the development of apprentices in homegrown skilled labour in Manitoba.

Thank you.

Mr. Chairperson: Thank you, Mr. Rebeck, for your presentation.

We'll now move on to questions. Is there any members of the committee with a question?

Mr. Eichler: Thank you, Mr. Rebeck, for your presentation.

Certainly, I know that you've been awful busy the last few months and weeks and taking time out from your family to be here tonight. We certainly appreciate your input.

Mr. Chairperson: Mr. Rebeck, would you like to respond to the minister?

Mr. Rebeck: Yes, thank you, Minister, and thank you for reaching out earlier today to have a short discussion about apprenticeship and hearing some of my concerns one to one. I appreciate that outreach.

I still feel this bill needs some serious amendments before it could go forward. Right now in law, there's a balance of employee and employer representation. I would like to see that continue in law for PAC or industry-based committees, and this bill doesn't do that.

Mr. Chairperson: Thank you, Mr. Rebeck.

Mr. Lindsey: Thank you for being here, Mr. Rebeck. We haven't seen you at a committee since, I don't know, I guess last week, and I understand you've been busy mainly because of all the anti-worker legislation that this government keeps wanting to bring in.

Now, in relation to this particular piece of legislation, there's been some suggestions by earlier folks who spoke about mandating proper consultation, changing will to must or shall. There's been a suggestion that maybe there needs to be some amendments made to really flesh out the committee structure to make those committees really, like you say, balanced between workers and industry and what's needed there. There's been a suggestion that we need to find a way to keep apprentices on the committee, and one of the barriers for an apprentice is time away from work and loss of pay. So maybe there's something we can do there.

Are there any specific amendments that you would like to see to this piece of legislation that we could make at the committee stage and make for a better piece of legislation, going forward?

Mr. Rebeck: I think I'm willing to believe the intent of this is to have a better system, but it does feel

rushed— that there should be more time for consultation.

I think a clear amendment, an easy amendment to make would be to make sure, just as the PAC committees—the Provincial Advisory Committees—that exist now in law are required to have a balance of employee and employer representation, that any industry committees that are struck must maintain that balance as well.

The interests of workers and employers coming together to find common ground, to raise those concerns and have authority and powers needs to be maintained, and this legislation loses that, as it's currently written. That needs to change.

Mr. Lindsey: One of the previous presenters had made a suggestion that by just following along with the national occupation analysis for developing apprenticeship programs, it's really leaving out the ability for Manitoba to make specific requirements that would make our apprentices not just safer and better qualified, but better able to work in any jurisdiction in Canada. The whole concept of the standardization for labour mobility is potentially leaving out our voice in Manitoba and potentially weakening what the Red Seal trades look like.

Do you think that we should keep that voice here and use the national body as the minimum standard but have the ability to make better standards for Manitoba?

Mr. Rebeck: Absolutely, I would agree with that. The national standard needs to be the floor that we don't fall below, but they should not be the floor for Manitobans. We should raise that standard higher, set an example, keep our workers safe, provide good training.

Ideally, Manitoban tradespeople would be recognized everywhere as being top-notch, and we don't do that by delegating our authority or ability to set standards to another level. We need to maintain that here in Manitoba.

Mr. Chairperson: Ms. Lamoureux, we got 45 seconds.

Ms. Lamoureux: I'll be quick. Two quick questions for Mr. Rebeck. Thank you for your presentation.

With—right now, we're very proud of our tradespeople here in Manitoba. And I'm wondering: with the changes to the apprenticeship program, do you think that will have an impact on the quality of the services that our tradespeople perform?

As well, when you say slow this bill down, is there something you would recommend to the committee with respect to that?

Mr. Chairperson: Mr. Rebeck, about 20 seconds, if you would.

*(20:50)

Mr. Rebeck: Well, I think the amendments we've spoken to would be appropriate changes if we must get this bill through immediately, or we could wait and have some further consultation, delay this bill for another session, have a more thoughtful process of engagement and make strong recommendations that are community-led.

Mr. Chairperson: Thank you, Mr. Rebeck, very much for your presentation and your answers to the questions posed by members of this committee.

We will now move on to the next presenter.

So I will call on Ron Hambley from the Winnipeg Construction Association and ask the moderator to invite them into the meeting.

Ron Hambley, welcome very much to this meeting this evening. You now have an opportunity to make your presentation, up to 10 minutes.

Thank you.

Mr. Ron Hambley (Winnipeg Construction Association): Good evening, Minister, MLAs, ladies and gentlemen.

My name is Ron Hambley. I'm the president of the Winnipeg Construction Association. Our association represents about 800 construction companies in the province, and they are engaged in all aspects of commercial and industrial construction. Our members are both open shop and unionized contractors and many, many actively participate in Manitoba's apprentice system.

While there are challenges in the delivery of apprenticeship, we continue to believe in the model, and our members are eager to work with Apprenticeship Manitoba and to colleges to ensure that the industry's labour needs are being met and training opportunities are available for apprentices.

As you've heard tonight, construction is the largest stakeholder when it comes to apprenticeship training, with at least 30 of the 65 designated trades engaged in whole or in part by our construction industry. Approximately 6,600 of the 11,000 registered apprentices in Manitoba work in the

construction industry. Given—the long-range labour market requirements of our sector and the imperative to have new tradespeople in our industry puts significant stake in this training model, and we need it to succeed. And I thank you for the opportunity to speak to 61 tonight.

Our association has been critical of the apprenticeship system in the past, and our concerns have been rooted in the convoluted governance model that has developed, and obviously a poor system of industry engagement. And I think we've heard some of that tonight. These concerns have been identified in the most recent governance review commissioned by Apprenticeship Manitoba. As I said, though, we continue to believe in the current model, but it has frustrated both our industry and the staff that manage apprenticeship system, and we welcome significant changes at this time.

Bill 61 provides for a slightly smaller board, as we've heard, focused on representatives of apprenticeship stakeholders. Certainly a smaller board can be easier to manage. However, there will be significant pressure from a very large and very diverse trade group for representation on the board, and I think we've heard some of that tonight.

Having said that, however, an effective board is probably more important than a large one and we believe that the apprenticeship certification board cannot focus on operational matters. It must operate at a higher level, focus on the bigger picture, you know, focus on the strategic plan following very clear terms of reference. This, in our experience, has not always been the case, but certainly with these changes we're talking about, this is very much possible.

We would also suggest the creation of a well-crafted skills matrix for use in the selection of board members. It will be critical to recruit a qualified group of thinkers for this smaller board, and we would suggest an orientation process that includes governance training as well.

Bill 61 removes the standing committees from the board—or, the standing committee requirement, and provides the board with the ability to create committees and appoint external members to these committees. And as you've hear, it eliminates the PACs.

We certainly appreciate the very permissive nature of this recommendation and we're looking forward to the opportunity to help build something that actually works. In recent weeks, we have had

many conversations amongst our industry about what the ultimate committee structure might look like, discussions of how naturally aligned groups could work together on industry committees or subcommittees and how committee members themselves are recruited. These groups will absolutely be critical to the successful operation of our apprenticeship system. It will be these groups that decide on curriculum, trade scopes for new and existing trades and ensuring our national standards are met.

A strong terms of reference will be required to ensure that these groups are not working at cross-purposes with the board itself. We look—our association looks forward to further discussion on the creation of these committees and subcommittees, and certainly, representation of the construction industry on those committees.

Bill 61 provides for the creation of a five-year strategic plan, rather than the single plans of the past—single-year plans of the past. We believe this is—will more effectively address the most significant issues, such as trade-specific skill shortages and the completion rate of apprentices. Again, industry must have meaningful input during the creation of this strategic plan.

We are, as an industry, very supportive of existing trade agreements that encourage labour mobility. We appreciate the importance of Red Seal—the Red Seal Program in recognizing skills and abilities across provincial lines. We would, however, encourage discussion, and I think we've heard some of this tonight, of jurisdictional amendments where they make sense.

By way of an example, we are—you know, our industry's very strong supporters of the National Building Code of Canada, but we also continue to support Manitoba amendments to building code and for very good reasons. These amendments can recognize very specific and unique construction conditions in our province. Similar consideration should be given, in our view, to trade harmonization and those discussions within the apprenticeship system.

And, finally, construction workers are expected to work hard in all weather conditions, and a pay structure that recognizes that is important to us. The wages of an apprentice today are based on a reference rate, usually a prevailing rate, sometimes within The Construction Industry Wages Act or a collective agreement and, in some cases, a multiple of the provincial minimum wage.

The existing trade regulations—and there are quite a few of them, as you can appreciate—provide the details of the wage calculation, and if these regulations are eliminated as suggested, or become bylaws in some form, we must ensure a wage-setting 'mechanis' continues to exist. We believe apprentices in Manitoba deserve a fair wage and a predictable wage, and we certainly can't lose sight of that.

Those are my comments today. I thank you very much for listening. We appreciate the opportunity to participate in the discussion. We appreciate the government bringing forward changes in Bill 61 and look forward to detailed discussions in days ahead.

Thank you.

Mr. Chairperson: Thank you, Mr. Hambley, for your presentation.

Do members of the committee have questions for the presenter?

Mr. Eichler: Mr. Hambley, thank you for taking time. Thanks for your presentation. I know looking forward to moving forward on this legislation; we want to make sure that we get it right, so thanks for your informative presentation.

Mr. Chairperson: Mr. Hambley, any reaction to the minister's comments?

Mr. Hambley: Thank you very much, Minister.

Mr. Lindsey: Thank you very much for coming out tonight, and it's interesting to listen to your presentation and your thoughts on this.

There's been some previous presenters that had suggested perhaps maybe we could make some amendments, one of them being that, really, mandating the duty to consult because the way it's written right now, it's kind of left as wishy washy; they may consult or they may not.

There's been a suggestion about more structure on the committees, the subcommittees, to make sure we get that balance that you've talked about. There's been a suggestion that we need to find a way to make sure we keep the voice of apprentices on some of these committees that right now it's been removed from the committee structure.

And the last one that I've made note of is that the national standard maybe should be considered the minimum and perhaps Manitoba can do things, like you've said with the building code, that are specific here that don't lessen any of the requirements but just

build better tradesmen, more qualified, able to compete anywhere in the world with jobs.

Just one of your other comments was about the five-year plan versus one-year plan. I don't think anybody's opposed to that, just there needs to be some kind of reporting structure along the road, perhaps, to make sure that something is happening to achieve that five-year plan.

So, just with those comments, is there anything that you think we should be adding as an amendment to this bill to make it better for everybody?

Mr. Hambley: All good questions and comments, I think.

Certainly, we wouldn't want to see this bill stall. You know, we are of the view that industry consultation needs to happen on a number of fronts. The PACs, as they exist today, are simply not functional. I think everyone recognizes that. So we need to move on, and we need to move on quickly.

With regard to will 'consude'—pardon me, duty to consult and will, as opposed to may, I don't think that's a bad change to, you know, perhaps adding some language to that particular clause that requires the committees to meet and consult with industry. I don't think that's the worst possible case.

* (21:00)

I think what's going to be really critical is the formation of those committees: how that structure works. Obviously, the PAC system, which is a committee for each trade, was just too difficult to deal with in terms of just the numbers of trades and the numbers of meetings and the numbers of individuals.

We need to find ways to streamline that. There's got to be like-minded individuals in trades that can identify with one another. The piping trades, for example, is a great one. They should be meeting collectively and often, and if we can encourage that through the committee structures, I think we'd be much further ahead than we are today.

Mr. Lindsey: Thank you for that.

And, certainly, I don't think most of us are concerned with slowing this up or stalling it or stopping it. We just want to make sure that we take the time to put some amendments in there that'll make it better, and we have that ability without actually slowing it up. We can make amendments and have the discussion with the minister, with the government, to

hopefully make a better bill—not necessarily slow it up.

It's—we do really want to make sure that we get it right, because we just don't change these acts all that often. So, the opportunity, when it's here—let's do it right. And we've heard from many people that the PACs as they're structured right now aren't really working that well.

So the devil is in the details, so we need to make sure that some of those details are in the act now so that we get it right. So, just, thank you for your time and your presentation.

Mr. Chairperson: Mr. Hambley, any response?

Mr. Hambley: Thank you very much.

Mr. Chairperson: Any further questions from other members of the committee?

Ms. Lamoureux: I just wanted to thank—

Mr. Chairperson: Ms. Lamoureux, just so you know, 20 seconds.

Ms. Lamoureux: Of course.

I just wanted to thank Mr. Hambley for his presentation as well. It was very informative, and I really appreciate how you suggested some ideas as well that we can now continue on with the debate. Thank you.

Mr. Chairperson: Mr. Hambley, any response for Ms. Lamoureux?

Mr. Hambley: Thank you very much.

Mr. Chairperson: All right. We've come to the end of the time that we have for questions. I thank you very much for your presentation and for the question—or the responses to the questions of the members of the committee.

We'll now move on to our next presenter. I'll call on Sudhir Sandhu, and ask the moderator to invite them into the meeting.

And I'd ask that Mr. Sandhu unmute themselves and turn their video on. All right, there you are. And, welcome very much to the—you're very welcome to this committee, and I just want to encourage you to now proceed with your presentation. You have up to 10 minutes.

Mr. Sudhir Sandhu (Manitoba Building Trades): Thank you so much, and I really appreciate your time.

I appear before you representing 13 skilled construction trades unions in Manitoba, and there are 10,000 skilled trades professionals that build Manitoba every single day. We have supported, generally, a refreshment of the apprenticeship system in Manitoba.

And, you know, quite frankly, through—during the 2017 review process, we had recommended an even further approach that, you know, this is an industry—apprenticeship is a system, and it's about the industry. It's about workforce development. And there's nothing political about that process. That is very much so a business consideration and a workforce development consideration.

So we had even gone as far as to say that apprenticeship ought to be, perhaps, a special operating agency of government so that industry can work together—both the employer side and the employee side—to create a system that addresses the long-term needs of Manitoba.

So, generally, we are not opposed to changes and modernization of the apprenticeship system. Having said that, you know, it is important to recognize that over the past few months apprenticeship—and, Minister Eichler, you know, we've been before you talking about a number of these issues, that this system has undergone significant and frequent changes.

And as an overarching comment, you know, we're not going to address many of those directly today, but we do not believe that all of the corollary impacts of all the changes that have happened over the past few months have been fully reconciled.

As an earlier speaker said, that the system has been tinkered with while the system was being redesigned. That's always a dangerous undertaking. And we continue to believe that there will be adverse downstream impacts that will materialize, and, perhaps, through this bill, we can address some of those.

So, construction is just, generally speaking, construction is a very significant component of the apprenticeship system. You know, other speakers have pointed out that perhaps as many as 27 to 28 of 50-some-odd trades in Manitoba are related to the construction industry.

And perhaps, in an ideal world—Mr. Lindsey, you asked about an ideal world earlier—that perhaps a single apprenticeship board being charged with the responsibility for all of apprenticeship may not be

ideal, but that is unavoidable. We can have specific boards for specific industries, so we do have the system that we have and we have to make it work.

So, given the foregoing, I do have a few comments for the committee and I guess the best way to characterize them is that the devil is always in the detail. This, you know, other speakers have commented that perhaps the effort seems a bit rushed and I wouldn't necessarily say that given that the whole process started back, you know, sometime around 2016 that it's rushed, but the end product seems to have gaps and significant holes that we need to fill as yet and perhaps that is the purpose of the legislative committee process; to understand those and to make sure we enact what works and take the opportunity now to address any shortcomings.

So, the apprenticeship board, in our view, must be reflective of the industries it services and serves and must be constituted to have sufficient representation of primary stakeholders. You know, boards are work and this board ought to be work. It is not an appointment for the sake of an appointment. As Mr. Hambley pointed out, we are going from 15 to 12. That means that expertise and ability to demonstrate the qualifications necessary to contribute meaningfully to a board such as this become even more critical. And, you know, whether it's a matrix as Ms. Coey recommended in her written submission, which is very thoughtful, you know, whatever system we enact to select board members who are going to be contributing agents for this board is really going to become very important.

Consultation, you know, we've heard so much tonight about consultation, the lack thereof, the wrong, you know, focus on the wrong types of input, et cetera, or not timely input. The general theme is that consultation is—has always been important, given that the apprenticeship board, through its stakeholders, attempts to serve an industry unlike any other system in that—that's so direct and engaged with industry, that consultation becomes really a key driver. And to that extent, we look at the sector-based committees which are replacing the PAC system. I think anyone's who's been around apprenticeship will acknowledge that PACs had their own issues. And now that we're replacing that with a SBC sector-based committee process, we have to be careful that there are no—that the committees are not so broad that, again, the consultation process suffers because voices get buried in that committee.

And secondly, the committee should have some influence. One of the failures of PACs was that they did have an input process but it was what I like call it sometimes, a parking lot stop sign. You were—there were more suggestions than they were meaningfully taken contributions that really resulted in the policy and, subsequently, legislative or regulatory changes that came through government or the apprenticeship system.

So, the sector-based committees must be constituted thoughtfully, with purpose. They must reflect the industry they represent and be given a very meaningful voice so that we don't lose the fullness of the stakeholder engagement. That is always going to be a contingent factor on which the success of the apprenticeship system is based. And if we do not have an effective board and committee structure and constitution, both in the expertise that they bring and the diversity of experiences that they carry, Minister Eichler, I would suggest to you that under section 8(2), you may be called upon to overrule far more often than you would ever want to as a minister.

So, you will have heard from many other industry representatives tonight. Both my colleagues, you know, Ramona Coey from MCAM, Mr. Hambley, Mr. Wightman is yet to come later on in the evening, and we concur. I think what's remarkable is that there is significant concurrence within the industry on broad strokes as to what the system needed in terms of refreshment, where it is lacking, what we need to do more of and less of in some cases. And you should be heartened, as a committee, and Minister Eichler, that you do have so much consensus in terms of what industry as a whole is putting before you.

Again, as I said, I'm not going to touch on other things that have transpired over the last few months. That's not the purpose of this committee, so we'll be respectful of that. But the common messaging again is important.

So I would stop there in the interests of both time and to allow for questions, and happy to answer any that the committee may have.

* (21:10)

Mr. Chairperson: Thank you, Mr. Sandhu, I'll—thank you very much for your presentation.

I'll just now ask if members of the committee have questions at all for the presenter.

Mr. Eichler: Thank you, Mr. Sandhu. I know you put a lot of thought and a lot of consultation through your various sectors that you work with.

Very important that we get this right. I know we've had good discussions in the past. And I know that it's important that as we move forward we considering our—carry on with our dialogue that we've had in the past and others.

But thanks for taking the time. I know it's getting late in the evening, but certainly appreciate you taking time to be with us here tonight.

Mr. Chairperson: Mr. Sandhu, any response for the minister?

Mr. S. Sandhu: No, thank you. We always appreciate the—whether disagreement or agreement, it's always important to consult and have the opportunity to be heard.

Mr. Lindsey: Thank you, Mr. Sandhu, for your time. I understand you were probably down the hall talking about another piece of legislation earlier, so.

There's been some suggestions by others tonight about some possible amendments that could be made to make this a better piece of legislation. One of them was about mandating the need to consult as opposed to leaving it as may consult. One of them talked about really fleshing out the makeup of the various committees to make sure the right balance is there.

Another possible amendment was how to make sure we get the voice of actual apprentices on these committees. And it was our understanding that perhaps it was a thing to do with time and pay to get an apprentice there.

The other one that is somewhat intriguing was around the national standards being seen as the minimum requirement, not the maximum requirement; that Manitoba should still have the ability to make standards for tradesmen that may be unique for Manitoba.

Just, your thoughts on potential amendments such as that, that wouldn't necessarily slow this bill up—I mean, we have the opportunity to make amendments at the report stage that could just make a better piece of legislation. And hopefully the minister has been listening and wouldn't be opposed to making some of these amendments.

So, is there anything that you think we should be adding here to make this a better piece of legislation?

Mr. S. Sandhu: Through the Chair: Mr. Lindsey, yes. I think that mandating more consultation is important. I'll give you an example in a minute as to where the rubber hits the road on that.

So, just—as I said, a parking lot stop sign type of consultation process is not helpful, because it's far too easily overlooked. So, the government has an opportunity to mandate certain *[inaudible]* in the manner, the types and the quality of stakeholders that are engaged in the process and what weight is given to the consultation that occurs and the input that flows up from the ground level up. That's really important.

Secondly, going to the national standards. Look, I'm not just pumping our collective tires by saying that Manitoba has a very well-respected skilled trade workforce across the country. It is not uncommon, and I've made this point previously, you know, on Bill 55, that our skilled workforce, when on occasion they do go out of Manitoba to work in other jurisdictions, often end up as supervisors and lead hands, etc., because they are well respected. And that means that there's some things we are doing here that are very good, and we need to retain those.

So when it comes to harmonization—and by the way, we are very—trade mobility—or trades flexibility and mobility is really, really important to us because we often face the indignation in this country where workers in Ontario or Newfoundland or Manitoba may be on layoff, collecting EI while, you know, BC is importing workers from elsewhere. That is really an untenable situation. So to the extent that harmonization can limit that and create—contribute to mobility of our workforce across the country, that's a good thing.

But let's drive the bus on that. Let's not be on the backseat waiting for the standards to be set by larger jurisdictions. Let's be very adamant that what we do well in Manitoba is going to stay in place.

And if I can quickly give you an example, where—you know, we want agility in the system. That's really important, because we are working with employers, as both labour and employer, working together to address industry needs. You know, over the—in about 2016, I have never seen that much consensus in an industry, where 98 per cent of the industry made a submission to this government that the plumbing trade ought to be made a designated compulsory trade, and with one stroke of a pen, industry was told to go away and not even come back for three years. To us, that was a failure of the system.

That's what the previous system generated, and we must have—absolutely make sure that that never happens again. And everyone involved with the apprenticeship and a lot of the people that are speaking today, both from employer and employee side, will know what I'm talking about. We cannot have failures like that ever again in our system.

Mr. Chairperson: I thank you very much, Mr. Sandhu, for your responses to the questions and for your presentation. We've come to the end of the time allotted for you.

So now we will move on to the next presenter. I will call on Shawn Kettner, private citizen, and ask the moderator to invite them into the meeting.

And I ask Mr. Kettner if he could unmute—Ms., sorry—Ms. Kettner, if you could mute yourself and turn your video on. There you are. I see you now, and I welcome you to this meeting and ask that you now can proceed with your presentation up to 10 minutes.

Thank you.

Ms. Shawn Kettner (Private Citizen): Thank you to the Chairperson, Vice-Chairperson, and committee meetings for the opportunity to address this committee and express my views on on Bill 61, The Apprenticeship and Certification Amendment Act.

My name is Shawn Kettner. I've lived and worked and raised my family in Manitoba. I grew up in the North End of Winnipeg and chose to settle here and raise my family here. I'm also a retired business owner. I'm a proud Manitoban, at least I was, always speaking highly of our beautiful province and the place I called home. That's because this is becoming harder and harder to do. I often find myself up late at night or welling up with tears as I go about my day, as I observe the destruction and deterioration of what makes, or used to make, our province the place that proudly calls itself friendly Manitoba. And I'm not alone. Everyone I talk to, every analysis of the current trends in Manitoba politics that I read in mainstream media, everywhere I look, people are frightened, frustrated and fearful for the future of our province.

By that, I am referring to the barrage of proposed changes to the many government bills, including Bill 61, that will dramatically change the essence of who we are and how we are going to care for each other, now and in the future. From what I understand, government bills are there to act as a guide or set of rules for our various programs and institutions that we can electively determine, resulting in best practices for all Manitobans and for future generations.

The various steps in our legislative procedure provide, or at least intend to provide, the democratic process that ensures inclusivity and transparency. And here is where things seem to have gotten messed up. The very heart of democracy is based on working together to collectively determine the will of the people, but that means inclusion, not exclusion.

Bill 61 was introduced for first reading by Minister Eichler last fall. As we are all aware, the bill was introduced with a title and no text. The citizens of Manitoba and the MLAs all had to wait a full four months until March of '21–2021 before this information was made public. Not only was the politicians and the general public not privy to the text but the professional members of the society, the people that we've been listening to this evening, those who best know the effects of the bills on Manitobans, were also not provided with the text.

Not having access to the proposed changes in a timely manner grossly limited the opportunity to analyze and advise as to how the proposed changes will affect the very people whom they serve. It's our trained professionals, not our politicians, who are the experts and are able to understand and best advocate for our communities. It is only through transparent and democratic consultation that surely good choices and political decisions can be made.

Bill 61 was only one of 19 mystery bills that was introduced last November with no text, 19 bills that include sweeping changes that will potentially affect the lives of Manitobans for years to come. Yet this government chose to withhold the texts of these bills to the last moment. Nowhere else, never in the history of our province, in the legislatures of all other Canadian jurisdictions or in the established norms in every international jurisdiction that responded to the inquiries of the Manitoba Legislative Library, have there been the tabling of so many bills without any text.

* (21:20)

This is—unprecedented act, is undemocratic and great disservice to the people of Manitoba. We must work together to right this wrong.

I ask that you determine how to proceed with Bill 61—as you work to determine how to proceed with Bill 61, you take into account the lack of time allowed for examination of this bill, and therefore your responsibility for enabling the tabling of the 19 bills with no text.

I ask that you listen to the concerns of the citizens like myself and make the necessary adjustments to Bill 61 in light of it being one of the 19 mystery bills that did not sufficiently allow the democratic process to be upheld.

Most importantly, I ask that all party members work together in an open, public and transparent process to amend the 'grules' of the House before the next session to better reflect and respect due process, as well as to promote more meaningful public participation in the legislative process.

I ask that you listen to your hearts so that we can once again proudly call ourselves friendly Manitoba and celebrate our caring, kind society that honours the democratic process, is inclusive and therefore leaves no one behind.

I respectfully submit this request to you.

Thank you.

Mr. Chairperson: Thank you, Ms. Kettner, for your presentation.

I will now ask if members of the committee have any questions at all for the presenter.

Mr. Eichler: Thanks, Mrs. Kettner. Certainly appreciate your feedback and your comments, and thanks for taking time out of your busy schedule.

Mr. Chairperson: Ms. Kettner, any response for the minister?

Ms. Kettner: Thank you, Minister.

You know, it's interesting listening to this evening's presenters. There's so many busy, busy people here tonight, and I'm wondering if we would have had a very different discussion if they had had four months to look at this information as opposed to the very short time period.

And we all want the best for Manitoba. And I'm listening to so many good suggestions, people very concerned about how we're going to make—move forward. And I hope that the committee, under your guidance, listens to the suggestions of the various presenters this evening.

Mr. Chairperson: Thank you, Ms. Kettner.

Mr. Lindsey: Thank you for coming out, Ms. Kettner. I recognize that you've taken time out of your life to participate in the democratic process a couple of times now at committees that I've been a part of, and I thank you for that. That's an important part of the whole process, is hearing from people such as yourself.

I encourage more people to come out and present and do exactly what you've done. It's not that difficult.

I think one of the things that we've seen tonight with Bill 61 is really, industry workers, unions, have all come together with the same real set of suggestions on how to make this particular piece of legislation a better piece of legislation. I know for myself, I think that we can make it better and make it something that works for Manitobans.

So I hope the minister's been listening, and I really want to thank you and everybody that's come out to present, to share your ideas, specifics on the bill, but also the generalities of how to make the democratic process work better.

So I thank you very much for your coming out tonight.

Mr. Chairperson: Ms. Kettner, any response?

Ms. Kettner: No. Just thank you, because I appreciate your response in that.

Yes, it's just important that we all work together and that we listen to the people that are out there working in the industries in all the various bills; that we've got all these professionals and they know what they're talking about.

Mr. Chairperson: Are there other members of the committee with questions for the presenter?

Ms. Lamoureux: I, too, just want to thank Ms. Kettner for her presentation.

You reminded us of some really important points and factors that we need to consider as we continue to move forward with this legislation, keeping in the back of our mind how the legislation was introduced and how there is a call that there might need to be some further debate on it before we move forward.

And you raised an interesting point: what would have happened if we had four more months to think about this and then have this discussion? And I'm personally very curious about that and I just want to thank you for putting that on our radar.

Ms. Kettner: Yes, I mean, who knows?

Four more months is a lot of time for consultation and not to feel rushed, and also the strain on the people that are responsible for the industries that are going to be affected. It's not—it's an unnecessary strain in a world that people are already very hard done by sometimes. You know, they're working so hard to

make things be right and not having to have that information in a timely manner is just wrong.

And I hope that the committees work together to rectify this.

Mr. Chairperson: Thank you, Ms. Kettner.

Any other questions from members of the committee?

Mr. Moses: Ms. Kettner, I just want to say thank you very much for your comments.

I think there's been so many presenters who stated that more consultation is needed and was wanted. So many presenters have said that they have great ideas and they're willing to collaborate to make this legislation better and I think that all could've been done and alleviated if we had more time—four more months or so—to evaluate these bills, work together, collaborate, consult and put forward legislation that's going to make our whole province better.

So, thank you very much for your words and taking the time to show interest and being part of a democratic process.

Thank you very much.

Mr. Chairperson: Ms. Kettner, you have a few seconds to respond, if you like.

Ms. Kettner: No, just thank you.

Mr. Chairperson: And I thank you very much for your presentation and for your willingness to answer questions from members of the committee.

We'll now move on to the next presenter. And so I will now call on Patrick Falconer, private citizen, and ask the moderator to invite them into the meeting, and I ask that they please unmute themselves and turn their video on.

Alright, I can see you now, Mr. Falconer, and welcome you to this committee meeting. And I'd encourage you to now begin with your presentation. You have up to 10 minutes.

Mr. Patrick Falconer (Private Citizen): Mr. Chairperson, Mr. Vice-Chairperson, committee members, it's been a long night and I appreciate your patience and your capacity to sustain concentration on the task at hand.

I want to thank you for the chance to present my views on Bill 61, The Apprenticeship and Certification Amendment Act. I'd like to also comment of—on the thoughtful presenters I am

following. It's been a very impressive evening from my point of view in terms of thoughts people have to offer.

My name is Patrick Falconer. I'm a 63-year-old Manitoban who's worked for most of my adult life to improve the province that I'm proud to call home. During that time, I've had the good honour—indeed, the privilege—to work with or for government on major change—system change projects, like the restructuring of the child-welfare system and the—start the passage of provincial accessibility rights legislation.

I'm going to probably touch on some of the same themes that Shawn touched upon and at—to start off my remarks on Bill 61 by revisiting some uncomfortable facts. The first of these is that, as reported by Angus Reid in 2019, nearly two thirds of Canadians say that most politicians cannot be trusted. I ask that you keep that in mind this evening as you consider my remarks.

Second, I'd like to remind you that Bill 61 was introduced for first reading by the honourable Mr. Ralph Eichler, then minister of Economic Development and Training, back on the afternoon of Monday, November 2nd, 2020. The bill was introduced with its title alone. No text or its mandatory notes were released.

Citizens, taxpayers, stakeholders and MLAs alike all had to wait until this March before the contents of the bill was made public. In terms of the legislature, that represents a delay of 12 sitting days. In terms of the public, that represents an astonishing delay of four months; a full 120 calendar days.

Even more shocking, Bill 61 was not an aberration; a lone wolf, so to speak. Bill 61 was one of 19 so-called government mystery bills that were introduced in November with no text. Bill 61 is the first of these mystery bills to have reached the attention of this standing committee.

* (21:30)

Bill 61 and each of the other 19—18 mystery bills are now 'steriously' tainted by this disturbing history. The result of the escalation of partisan procedural disputes that the Pallister government has taken to the extreme, an extreme that entailed the unprecedented breach of longstanding democratic standards. Indeed, this was an—unprecedented in the combined 1,369 years of legislative proceedings across all of Canadian provinces. In strictly Manitoban terms, this is the first and only time in 150 years—five full generations.

Let's look back for a second before proceeding and remember that those two thirds of Canadians who believe that most politicians cannot be trusted. What was, and still is, the public view of this breach of longstanding democratic standards? As the March 2nd letter to Premier Pallister and leaders Kinew and Lamont from six distinguished and deeply concerned Manitobans from across party lines, clearly and unequivocally stated, quote, this is unacceptable. The March 2nd Winnipeg Free Press editorial stated, quoting—I quote again, the procedural infighting in Manitoba's current legislature has taken petty politicking too far.

These are the softball descriptions. Others have been more critical. Scott Forbes, president of the Manitoba Organization of Faculty Associations described the government's conduct as showing, quote, stunning contempt for Manitobans. Dennis Pilon, a political studies professor from York University, was reported to have called it, quote, a new low in parliamentary behaviour from Canada's right wing, and that's saying something. He goes on to, quote, call it a very bad precedent.

Molly McCracken, director of the Manitoba office of the Canadian Centre for Policy Alternatives reportedly referred to the government's conduct as being part of, quote, the global attack on democracy and called it, quote, disrespectful to Manitobans.

Public concerns have also led to more than 1,500 citizens sending letters to you and other MLAs expressing shock and dismay. Indeed, it was this dangerous precedent in the tabling of Bill 61 and the other mystery bills without text that encouraged me to look more closely at what was going on, to look under the hood of the Legislature, if you will.

What I found reinforced all the concerns that had been raised in the tabling of Bill 61 for first reading without text. For instance, I watched question period over several days and came away with any sense or faith that I had in respect and the value of debate by MLAs sorely compromised. For the most part, I saw opposition MLAs ask heavily loaded questions and leading questions, which were repeatedly not answered by government leaders.

Thinly veiled a mockery in insults were depressingly evident. Premier Pallister seemed positively gleeful in this combative environment, but he was hardly alone. Then there was the heckling, including that of the Minister of Mental Health, by NDP MLAs last week, as well as the overall conduct in the

Legislature that has been described in the Winnipeg Free Press as, quote, abysmal.

It raises troubling questions. How much of this have you normalized? How many parents would permit such behaviour in their children, even on a really bad day? How can you not feel tarnished by being party to this?

As part of preparing my remarks on Bill 61, I did some digging into matters related to the standing committee on House rules. Seems that this is the committee responsible for the rules that led to the procedural disputes over the last two sessions. I was shocked to learn that this committee, unlike its federal counterpart, where this committee itself meets in private with no public record in Hansard or video recording, that provides any rationale or record of discussion. The public is not invited to attend or allowed to make submissions, either in person or in writing.

That's right; it might be described as a process of backroom dealing by politicians, often, if not usually negotiating from partisan positions.

Clause 84(5) of the book of rules, the very rules that the standing committee's responsible for, requires that the standing committees have been met with twice per year. Do you know how many times the standing committee has reportedly met in the last two years? Never. That's right. None. Zippo. Seems that behind the scenes, the behind-the-scenes rule setters can't or don't even want to live by the rules they themselves set. Remember those two thirds of Canadians.

Let me conclude my remarks on Bill 61 with a final observation and a gesture of goodwill.

First, the final observation. The third ask in the letter to political leaders from six distinguished Manitobans asked them to commit to work, quote, together in an open, public and transparent process to mend the rules of the House before the next session to better reflect and respect due process, as well as conduct more meaningful public participation in the legislative process.

That letter is now more than one month old.

Do you know how many of the three leaders have made clear and direct statements agreeing to this commitment? Zero. That's right. None. Zippo. They can do better than that. You can do better than that. Public trust depends on both you and they doing better than that.

And now the gesture of goodwill that I provided to the clerk in advance: the template for a nifty 2011 Manitoba shade on democracy sunhat that I designed yesterday. I know I'm not supposed to have any props, but I have one here, because while democracy in our fine province might not be dying in darkness, parts of it are certainly withering in the shade.

Thank you very much for your time and your attention.

Mr. Chairperson: Thank you, Mr. Falconer, for your presentation.

Do members of the committee have any questions for the presenter?

Mr. Eichler: Very informative. I—you've done a lot of research there, so thanks time—thanks for the time you took to present it to us here at committee tonight.

Mr. Chairperson: Mr. Falconer, any response for the minister.

Mr. Falconer: Yes, I found the minister to be very gracious this evening and in all my dealings with—in the past, he's been very gracious and so I appreciate that he's listened, and hopefully we can find more progress in improving democratic practice.

Mr. Chairperson: Thank you, Mr. Falconer.

Now Mr. Lindsey with a question.

Mr. Lindsey: Well, we saw you the other night. I suspect you were in the other committee meeting down the hall earlier this evening, so I appreciate your time to come out and share your thoughts with us.

I guess maybe there's a bit of a potential bright spot with this bill, because pretty much all the presenters that came out, whether they were on traditionally one side or the other, were all on the same page when it came to how to make this bill better. So, hopefully the minister and the critics can sit down in that same spirit and do something somewhat unique, at least in this session, to come up with a bill that's better for everybody and really lives up to the spirit of democracy that you've referenced here; that maybe there is a better way of doing things.

So, thank you.

Mr. Chairperson: Mr. Kettner, any response—or, sorry, Mr. Falconer, any response to Mr. Lindsey?

Mr. Falconer: Again, I want to thank Mr. Lindsey for his comments. I think one of the issues becomes that the bill has been approved in principle in second reading before there is actually the committee hearing.

And so there's always issues of limited latitude to actually amend a bill after it's gone through second reading and approval in principle.

So, I think one of the questions becomes how do you provide for it; effective public participation in the legislative process? I think the fact that Manitoba's only one of two jurisdictions, who I'm told—I think—have this kind of process. I think that speaks well of us, but the reality is, it's not clear that this is a timely way to build and provide input. We've heard, I think, from almost every presenter, that there was a lack of effective consultation before the bill was actually designed.

So, I guess the question becomes, how do you provide for that public input? And, frankly, I'm fearful that (1) the late tabling of bills is problematic, and the fact this occurs in second reading—after second reading is also problematic.

Thank you.

Mr. Chairperson: Thank you, Mr. Falconer.

Are there other members of the committee that have questions for the presenter?

I'm not seeing any further questions, so I thank you very much, Mr. Falconer, for your presentation and for your time this evening, and for answering the questions of committee members.

And we'll now move on to the next presenter.

So, I will now call Peter Wightman from the Construction Labour Relations Association in Manitoba; the executive director of that association, Peter Wightman.

Ask the moderator to invite them into this meeting, and I'd ask that they unmute themselves, turn their video on.

* (21:40)

I see you there now, so welcome, Mr. Wightman, to this committee and I—you are now invited to proceed with your presentation for up to 10 minutes.

Mr. Peter Wightman (Construction Labour Relations Association of Manitoba): Thank you, committee, for having the opportunity to speak to you all at this extremely late hour. I'm sure you're all tired, and hopefully you saved the best for last.

The organization that I represent is the primary client for Manitoba apprenticeship. The contractors that I represent are the contractors that build Manitoba. We build the infrastructure projects of

Manitoba: hospitals, universities, stadiums, the major office buildings. We build Manitoba: the power systems, the water systems.

So it's not difficult to appreciate that we employ thousands of tradesmen on those jobs and we have a 100-year history of building the skilled trades that build those projects for Manitoba.

What I mean by that is, we don't just employ apprentices—first year, second year, third year—and cut them loose when they become not needed. We take young folk in from high school, young people that want to become part of the industry, and we dedicate to them a training regime where they're going to complete their program. We take them from first year right through to achieving their Red Seal. That's our esprit de corps as an organization and we do that with the co-operation of—and the skillsets of the employee journeypeople that we have already put through that system over the many decades.

I want you to understand, we're the biggest client of Manitoba apprenticeship. I find it interesting whenever we talk about Manitoba apprenticeship. Manitoba apprenticeship doesn't do apprenticeship training. The Construction Labour Relations Association contractors are Manitoba apprenticeship when it comes to skill training for skilled trades in this province. We've been doing it for the better part of 60 years as our organization, and our contractors go back close to 100 years.

So, we're their biggest client by far. Yet we find over the last number of years, last—for sure last three years—that the lack of communication that's occurred with the branch has been the worst I've seen in 25 years. I'm—I've listened to the presentations of all the participants so far and I'm happy to say I'm not going to now go in and repeat a lot of the things they've said.

I agree with everything that Ron Hambley had to say. I agree with everything that Ramona Coey had to say. I agree with what Sudhir Sandhu had to say and Kyle Kalcsics and Mark Lafond, and in many respects Kevin Rebeck. I know all these folks. I know them well. They're work colleagues in our industry.

The biggest problem we've got with Manitoba apprenticeship right now is, we have a state-of-the-art training program that's about to—I've—I'm concerned that it's about to get tripped up. I agree with many of the changes that the minister has put forward. And I've spent time with the minister having in-depth

conversations with him about some of these issues. He's a well-thought individual and I appreciate that.

I'm very concerned. And I've been involved in Apprenticeship Manitoba for 25 years, sitting on PACs, appointing people to virtually all of the PACs that were in existence and were PTACs before that going back to the mid-'90s. My concern is that if you don't engage the industry in an effective fashion—and that has not occurred today—you're going to dismantle a state-of-the-art system that we've got.

I was on a conference call yesterday with my colleagues across Canada that run associations just like mine. And when I told them about some of the changes that have occurred—the one-to-one ration being two-to-one, we've talked about the gas fitter—the gas issue being bought out of the piping trades—all of these things just being dropped on the heads of the industry with very little notice to the industry. I—and I've heard this for 25 years, gentlemen, over and over again, how good our apprentices are, how good our journeymen are that come through our program. I'd hate to see the legacy of this government be the dismantling of our great apprenticeship system.

We built—my contractors, along with the building trades—have built a fantastic crew of people over many decades who were able to take on these extremely difficult projects, like building a hospital—probably one of the most difficult construction builds you can find. These are jobs where you have untrained tradesmen, we'll call them that, working on these projects. You have to have people that really understand the complicated nature of construction. They're very sophisticated projects. I'm not talking about building a Mac's Milk.

We're talking about building the kinds of projects that Manitoba, as a province, is going to need to grow and attract citizenship into our province. We've got to be able to hold onto these workers. There's a whole series of issues involving the costs of building of projects. It's fundamental that you have good tradesmen, highly skilled. They will save you money in the long run if they have the full scope of the trade under their belt. If you have people that have micro-credentials, you just have to look at the BC model to see what a failure that has been and the amount of costs and problems it caused for that industry. And now they're circling back to the approach that we have in this province currently.

I just wanted to make that statement to you because I've heard everything that everybody's said and it's all good. And, gentlemen, I'm sure you've—you

might be surprised to hear so many different folks: from labour leaders to construction association leaders, like myself and Mr. Hambley and Ms. Coey; labour leaders like Sudhir Sandhu. We're all on the same page. That's a fairly rare thing where we all come together and we've said to you all, collectively, we support the idea of the bill, we support the idea of moving away from the PACs, condensing it down into sector working groups.

But there's holes in this legislation. The lack of consultation that's occurred to date is reflected in this legislation. There's no reference to working committees. There's no reference—specific reference—to sector working groups. And the vertical construction industry, the ICI, institutional commercial industry that I work in, that is the biggest, by far, construction industry in Manitoba—I'm not talking about road building; that's a very small sector of our industry, tiny in comparison—I'm not talking about home building, tiny in comparison, okay? In total dollars spent and employees involved—tiny.

What I'm talking about are the major projects. You've got to make sure you have the industry engaged. We do the training. Manitoba apprenticeship is just oversight. They push paper. They don't do any training. The contractors and their employees drive the system and you've got to make sure that on that board—the problems that we've had to date is that the board of directors of the branch, I'm sorry to say, well-intended individuals, but it's not the right structure. When you've got a sector of the economy like ours that makes up more than half of the 'apprenticeable' trades in the system, they should be more appropriately represented around the board, like half the representatives. We're the biggest client.

I hope that that's where we're going because we're the biggest client, we're the biggest users, we have the longest history, we have the most apprentices. But it doesn't feel like we're being listened to. And that has to change.

Mr. Chairperson: Mr. Wightman, you have one minute remaining, if you wish.

Mr. Wightman: I'm just going to end it there. I want to say I appreciate what everybody else has said. I like their presentation. It was very good. I'm not going to repeat all those numbers and everything else.

Just want to—I just want you to reflect on the legacy that your government is embarking on. And the legacy of our province for apprenticeship training is

one of the best in the country and it has to be continued.

We're a small province. We have a small industry. We rely on those tradespeople. We don't have a lot of them, but when we need to build hospitals, when we need to build power stations, those are the folks that we need to rely upon and we need to keep the supply of those people coming.

Mr. Chairperson: Thank you, Mr. Wightman, for your comments.

I'll now ask if members of the committee have questions at all for this presenter.

Mr. Eichler: Good to see you again, Mr. Wightman. Thanks for your presentation; always good to hear your thoughts.

* (21:50)

And as we've said and you heard me say all night, that we'll make sure we get this legislation right. We've been enjoying working not only with you, but with others. So, again, thanks for taking time for us tonight.

Mr. Chairperson: Mr. Wightman, any response to the minister?

Mr. Wightman: Thank you very much, Mr. Minister. It's always a pleasure talking about these industry issues with you. I know you're very well-intended and you want the best for the province.

Mr. Chairperson: Okay. A question from Mr. Lindsey.

Mr. Lindsey: Thank you for sticking around and making your presentation tonight. You're right, it gets to be a long night sometimes, but this is something that's too important to not get right.

We've heard from several other presenters about some possible amendments—I'm sure you've heard them, Mr. Wightman—about consultation and the committee structure; apprentices on the committees; and whether the national standard should be the minimum standard and not the maximum; the balance on the committees, making sure that that's right.

So, is there any specific thing that we haven't covered that you think should be included in this bill to make it a better piece of legislation going forward?

Mr. Wightman: Yes, well, very specifically, the structure of the board in section 5(1). It makes reference to a position on the board for instructors. And if we're condensing the board down to a smaller

number, in my opinion—and really what are we talking about? We're talking about instructors from Red River. Red River might have apprentices for between six and up to 10 weeks, depending on the principal program they're in—relatively short period of time and it's for technical-type training, math and things like that.

The actual skill sets that they learn are on the job sites, working for the contractors I represent, being trained, the actual hand skills, the skills of the trade; that's what I meant by we do the training. We are Manitoba apprenticeship.

So, giving a position to the instructors I think is—I think should be rethought. That's a position that should go to the industry. You're taking away an opportunity for policy people on the industry side to give better information into the board, into the deliberations. Folks like Red River can be brought in through the committee structure for consultation, but to give them a permanent position on the board I think is a mistake.

Section 9(4), the committees of the board, I think there needs to be something in there that addresses the idea that was proposed to us in the—I think it was on March 3rd when the branch did its video presentation to the industry. There should be something that references the sector industry working groups or industry sector groups, something specific. And most importantly, the governance of that, that the recommendations that flow from those committees up to the board, they need to be adhered to.

I'm not suggesting we have tradespeople, I'm suggesting we have senior contractors and senior representatives of the industry who are advising to the board. It's a very complicated industry, the construction industry—extremely, extremely complicated. I said this to the minister when I met with him a few weeks ago: in 25 years, every day I learn something new about this industry. I worked in health care for 10 years doing a very similar job. In six months I had the whole system nailed down. But in this industry, every day I learn something new. It's very, very complicated.

And I think that you've got to have that governance structure built into this bill so that you don't have boards—the board running amok and making decisions that they maybe feel is appropriate but not supported effectively by the industry. And we've seen some of those recent decisions that have come through on the ratio issue and on the gas fitter issue. They were a disaster for our industry and still

are. And they came from the board, from well-intended people, but they didn't understand what they were doing, in my opinion.

Mr. Chairperson: Thank you, Mr. Kettner.

Any other questions for the presenter? We have a few seconds remaining.

Not seeing any other questions at this time, I want to thank you, once again, for attending this evening and for making your presentation and answering the questions of committee.

We'll now move on to the next presenter. You were not the last. There are others.

And so I ask—I now call on Robert Duarte and ask the moderator to invite them into the meeting.

And I ask that Robert unmute himself and turn his video on.

I believe we can see Robert now, so you are welcome to begin your presentation. Welcome here this evening, you have up to 10 minutes.

Mr. Robert Duarte (Ironworkers Union Local 728): Thank you for having me and giving me the time to speak on behalf of Bill 61. My name is Robert Duarte, I'm the business manager of the Ironworkers local union 728 here in Winnipeg, Manitoba. We represent a number of ironworkers in the trade here in Manitoba and there is a serious concern with the bill and some of the changes proposed.

The first issue that we would have a serious concern with is the two-to-one ratio. As a tradesman myself, Red Seal, the—one of the things that was important to me was future work and providing for my family. So with the two-to-one ratio, there was a concern of an ironworker becoming a journeyman and having 25 per cent less opportunity on the job.

Communication, that was another key factor in Bill 61, not only in how the first reading was released but as well as talking to a number of our general contractors. The consensus that I was under the opinion of is they were going to be reaching out to the industry to get some information on what is going on and what demand and needs are, or how the majority of our contractors—I should say all of our contractors, weren't aware of any of the conversations that were going on. So, to hear prior that they've been going on for a couple of years, that is a concern and we do think that communication is a key that is needed for improvement.

As well, on the factor with the two-to-one is the safety and there's always that factor making sure that an individual is safe going to work and being able to provide for their family and going home from work. As an ironworker, we put up steel structures that vary in size from 30 feet in the air to a couple hundred feet in the air.

And getting into some high-profile jobs in around this city, working at 300 Main is a number of people working downtown, pedestrians walking downtown and our members are required to do the job safely and make sure that the people in the surrounding areas are also safe. Now, with a two-to-one ratio, making sure that a tradesperson—a journey tradesperson is always available to make sure that an apprentice is not only keeping himself safe but those around him safe, is a very, very serious concern.

So, I'd also like to mention that going back, I'll say, 19 years ago, as a third-year apprentice, I myself witnessed on a job a individual, actually working in silo—Brandon, Manitoba on the silo job there, the big expansion, there was a farmer who had been struggling. Their family had been struggling for a couple of years, so he managed to get himself a job.

Two weeks on the job and he was told to go and cut some welds because a panel needed to be moved. Unfortunately that was the last job he did. So, a young individual trying to provide for his family, not knowing any better, being told to go work by himself, essentially, that was his last day on the job. And that's always a concern when you have changes with the ratio and the lack of communication that goes on between the industry, as well as the apprenticeship, with the numbers of changes that are going to be presented.

Thank you.

Mr. Chairperson: Thank you, Mr. Duarte, for your presentation.

I will now ask if members of the committee have any questions for the presenter.

Mr. Eichler: Thank you for your presentation. Very heartfelt story. Certainly, our thoughts and prayers are with the families and important that we understand safety. There's been no changes to safety through this legislation. I want to make that—sure that's very clear. This legislation is talking about to make up the board and modernization of the board so—but thank you for taking time to be here with us tonight and sharing your thoughts.

Mr. Chairperson: Mr. Duarte, any response to the minister?

Mr. Duarte: Thank you as well for your time.

Mr. Chairperson: Mr. Lindsey, with a question.

Mr. Lindsey: I'd like to thank you for coming out and sticking around as long as you did to make your presentation. And, certainly, the ratio is a big issue for the tradespeople. I know myself, in a previous life, spent a lot of time fighting to make sure that the one-to-one ratio was there.

This bill specifically talks about apprenticeship training and how the boards are made up and things of that nature but if we don't get this part right, it does affect worker safety because we need to make sure that those tradespeople coming out of apprenticeship know exactly what they're doing and have got the best knowledge possible. In order to do that, of course, we have to make sure they've got the best inputs going into it.

* (22:00)

So we've got an opportunity to, hopefully, make some changes to this particular piece of legislation to make sure that consultation takes place, that it's mandatory on some of these changes; to make sure that the structures of some of the committees are fully fleshed out so that people are sure that the right people are on the committees with the right knowledge.

We want to make sure that there's apprentices still getting their voice heard, because they're the ones that are getting trained. We want to make sure what the standards are that folks are going to get trained to. Is the national standard enough? Or should we have the ability to make standards specific for Manitoba? And those are some of the things we've heard tonight.

If there's anything specific on this bill that you think we should be looking at to make changes, I'd sure like to hear your thoughts on that.

Mr. Duarte: I think we would keep things—I would echo all the other speakers ahead of me.

Communication—making sure that there is the time to communicate the importance of these changes, the importance of making sure we get it right and the importance of making sure that each and every person who works hard to become a tradesperson in their industry goes home safe every day.

Mr. Chairperson: Thank you, Mr. Duarte.

Any further questions from members of the committee?

Seeing none, I will thank you very much for your presentation and your time today, and for being willing to answer also questions from members of the committee. I hope you have a good evening.

You are indeed the last presenter on our list, but one was missed earlier, so I'm just going to give another opportunity for Norman Rosenbaum to join the meeting. I don't know if they're online or available yet, so just calling that one name one more time. Norman Rosenbaum?

And not seeing him come through. So his name will be struck from the list of presenters. And that concludes the list of presenters that I have before me.

* * *

Mr. Lindsey: I ask for leave for a 10-minute break.

Mr. Chairperson: Leave is requested for recess. Do we need 10 minutes? Five minutes sufficient? What—

An Honourable Member: Ten. I'm old.

Mr. Chairperson: He's old. He needs 10.

Sorry I'll—the leave request is for 10 minutes? Acceptable to the committee? *[Agreed]*

Okay. We will take a break for 10 minutes. The time now being 10:03, I'll see you back here in 10 minutes.

The committee recessed at 10:03 p.m.

The committee resumed at 10:13 p.m.

Mr. Chairperson: All right, the time being 10:13, shall we continue with the proceedings?

In what order does the committee wish to proceed with clause-by-clause consideration of these bills?

Mr. Lindsey: I think—is the right answer global?

Mr. Chairperson: No, no, order; 41 first or 61 first?

Mr. Lindsey: Oh, 41, sure.

Mr. Chairperson: Forty-one, and the numerical order we will use then. Very good. And I'm just going to grab this here.

Bill 41—The Fair Registration Practices in Regulated Professions Amendment Act

(Continued)

Mr. Chairperson: Okay, so does the minister responsible for Bill 41 have an opening statement?

Hon. Ralph Eichler (Minister of Economic Development and Jobs): Yes, Mr. Chair, I do.

First of all, I'd like to make a few comments in regards to Bill 41. I want to thank everyone for their presentations that they did on the bill tonight to help ensure that they qualify international education applicants to the 30 regulated professions under this act. Our aim is to achieve the registration in the professionals in a timely and fairly manner.

This bill was drafted in recognition of the need of professionals to review their licensing practices to ensure they are working as intended for international educated professionals. New duties and requirements provide direction for this effort. We drafted it with the belief that we can be doing better without compromising standards and public safety.

I am hopeful that all proposals, including this bill, will make the real difference in time it takes to get internationally trained applicants into our job market and fully utilizing their skills and training they have worked so hard to earn.

That's my opening comments, Mr. Chair.

Mr. Chairperson: We thank the minister.

Does the critic from the official opposition have an opening statement?

Mr. Jamie Moses (St. Vital): Yes, I do.

Mr. Chairperson: Mr. Moses.

Mr. Moses: We know that Manitoba needs well-trained workers, and we support those efforts. However, in Bill 41, it introduces some process changes that, on its own, will not address challenges of timely qualification recognition.

Bill 41 allows the minister to issue regulations and compliance orders onto professions with regard to the processing of qualification recognition. This places new responsibilities on regulative professions. You know, our main concern, though, with this bill, is that it will not do what it's claiming it'll do: to help qualified internationally trained applicants to get working in their profession faster.

Manitoba is not going to solve the challenge of credential recognition by giving the minister new

abilities to threaten regulative professions with sanctions. Instead, what is required is sustained focus and significant new resources, both to recognize, train and co-ordinate new applicants with Manitoba's labour market. We—what we should be asking ourselves is this: What is it going to take to make Manitoba an inviting place to come to, and what is it going to take to ensure those with qualifications from elsewhere get what they need to live up to their full potential here in Manitoba?

On this score, the Pallister government is failing miserably. On a net basis, the other year—last year, nearly 10,000 people left Manitoba for other provinces. That's the worst net out-migration in 30 years. Qualification recognition is part of that problem. Its real challenge is that this is an opportunity for us. Under the Pallister government, more and more young people are finding their future for opportunities more challenging in Manitoba. They're looking to other provinces. And more and more newcomers in Manitoba, that at first come here, are now looking elsewhere to set up permanent residence in Canada.

This government is kidding 'intself' if it thinks that Bill 41 will solve all those problems, specifically the out-migration problem. Reversing this trend would take and would require real investment in our economy. Instead, they've had cuts of hundreds of dollars—hundreds of millions of dollars of infrastructure investment, cuts to health-care professionals, where many international workers seek to find employment.

There are some other challenges within this bill. For example, Bill 41 removes the Fairness Commissioner. The department tells us it's going to be replaced by a director within the department. We know there's issues with the Fairness Commissioner, but the issues don't get solved if it's removed completely and made with a director. That position needs to be strengthened. I encourage the minister to provide more evidence that the director 'petition' would be effective; how people can access the director to their benefit to ensure that the process is fair.

I sincerely thank the presenters who we heard from today. They provided fantastic perspective, not only from the regulator side and the profession side, but also from the individuals, the international—the IEPs, who are searching for work and trying to make Manitoba their home. I hope that the minister sincerely listens to their suggestions, listens to their feedback, makes the effort to make strong

consultation meaningful and provide Manitobans a clear understanding of the process that it's going to take to go from an international worker to finding sustained employment in our province.

Thank you.

Mr. Chairperson: We thank the member.

During the consideration of a bill, the enacting clause and title are postponed until all other clauses have been considered in their proper order.

Also, if there is agreement from the committee, I, the Chair, will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose.

Is that agreed? [*Agreed*]

Clauses 1 and 2—pass; clauses 3 through 5—pass.

Shall clauses 6 through 9 pass?

Some Honourable Members: Pass.

Mr. Chairperson: Clauses 6—[*interjection*]

Oh, I'm sorry. Was there a—sorry.

Back to clauses 3 through 5. Was there a note for clauses 3 through 5? All right, then clauses 3 through 5 are indeed accordingly passed.

* (22:20)

Clauses 6 through 9—pass; clauses 10 through 12—pass; clause 13—pass; clauses 14 through 17—pass; enacting clause—pass; title—pass. Bill be reported.

I thank the members of the committee.

**Bill 61—The Apprenticeship and
Certification Amendment Act**
(*Continued*)

Mr. Chairperson: We will now move on to clause-by-clause consideration of Bill 61.

Does the minister responsible for Bill 61 have an opening statement?

Hon. Ralph Eichler (Minister of Economic Development and Jobs): I do. First of all, I want to make a few comments in regards to the presentation. Certainly, we know it's important to hear from Manitobans. We certainly did that tonight.

Certainly, this bill reduces red tape, administrative burden within Manitoba's apprenticeship and certification program system by modernizing how we update Red Seal, provincial training centres—changes

that bring greater clarity to a designated occupation pathway that was introduced in 2018.

I'd also like to thank the stakeholders who provided insight into the development of this legislation as part of 2017-2018 Apprenticeship and Certification System Governance Review, which informed the proposed changes. As you know, our government is committed to hearing from Manitobans. I'm appreciative of the fact of the input received through the dialogue with our 'stakeholders' here tonight and our consultations before and ongoing.

So, those are my opening comments.

Mr. Chairperson: We thank the minister.

Does the critic from the official opposition have an opening statement?

Mr. Tom Lindsey (Flin Flon): I do.

Mr. Chairperson: Mr. Lindsey.

Mr. Lindsey: I appreciate the minister's comments.

Now, I had some prepared statements ready, and as much fun as it is to bash the government on all the things that they've done wrong and how they've attacked workers with Bill 55, the one-to-one ratio, I think maybe I'll try something a little different, for me at least, for tonight.

We listened to so many stakeholders from various walks of life, be they management, be they contract groups, be they workers, unions, and they've all been telling us basically the same thing all night long. Now, I hope the minister was listening to that which they were telling us, because there were some important pieces of information in there that are missing in this bill.

Now, I'm hoping that, at the report stage, we'll be able to make some amendments that the minister will be amenable to. I certainly hope that, prior to that, the minister would perhaps agree to sit down with the critic and others who may have an interest in making this a better bill to flesh out some amendments that we can all agree to to make the bill a better bill.

And I know that's something a little different than the way things traditionally are done, but certainly, we've heard from presenters who didn't specifically talk about this bill about trying to find a better way of doing things. So, maybe this is the opportunity to take a bold step into a brave new world of the future; maybe not. But I'm willing to give it a shot.

So, some of the things that we heard tonight that could possibly be amendments. We heard from everyone around the real shortage or lack of consultation—meaningful consultation, and there were concerns with the wording in the act, that may isn't a good enough word to make sure that that consultation takes place. So I think we'd maybe like to see some kind of change there that ensures that the consultation between all the stakeholders in the apprenticeship world have an opportunity to have their voices heard, to make a better system.

We've heard that the structure of the committees is a concern and we heard this from industry groups, from worker groups, from workers, to make sure the right balance is on the board itself, but also on the sub-committees; to make sure that all those people, all those groups that have a vested interest in making sure our tradesmen are properly trained and safely trained. So, that—perhaps there's an amendment around the committee structure that will ensure that those committees are having the proportional representation—I think it's been talked about—the right representation.

One of the things that I think everyone agreed that's missing on some of these committees of the board is the voice of the actual apprentices. Now, there was a suggestion that somehow we need to get them back on the board and have them take the place of the instructor's position on things—that the instructors can come in on a case-by-case basis, as a consultant, to voice what their concerns may be. But really, the boots on the ground of the apprentice voice is getting lost in this. So, is there a way to make sure that apprentices can be there and that their needs are met, so that they're not losing out?

I think one of the biggest things that we heard here tonight is really around the standards for what that apprenticeship training is going to be. We've listened to industry. We've listened to worker representatives and workers talk about the uniqueness of Manitoba. We've listened to—all of them say the same thing, that abdicating our responsibility as Manitobans, to let somebody else decide what our apprenticeship training should look like, simply to meet the needs of labour mobility, isn't possibly the right answer; that the national standards really should form the basis of the minimum requirements.

But as—Manitoba industry and Manitoba workers, Manitoba unions, Manitoba government really should have the vested interest of Manitoba workers going forward, to make sure that we are producing what

everybody in the industry has told us tonight that we already are producing—the best, highest quality tradespeople at the end of the day. We don't want to see that lessened in any way, shape or form. And the thought is that by just following the national standard that that is a distinct possibility.

So, is there an opportunity for us to go above and beyond in Manitoba to still meet the requirements of the new west trade partnership and the Canadian Free Trade Agreement, some agreements that I fundamentally disagree with but I understand we're into those.

Now, is there a way for us to make sure we are still the leaders when it comes to training tradespeople? That we're not just merrily going along and accepting lower standards, lesser standards for training? We've heard from people who talked about the ratio, which isn't part of this particular bill, but in a way, it is, because it ties in with how we make sure we have properly trained tradespeople. And part of that proper training for tradespeople is, in fact, the ratio, but it's also more than that.

It's making sure we have the right training standards, we have the right training programs that we need to make sure that as we move forward—and everybody agreed that we need to change what's presently there because there are problems with it. And I don't disagree, having had some dealings with the apprenticeship board a number of years ago now. It was frustrating, to say the least, to try and get an answer to some of those questions. We did, at the end of the day, and, unfortunately now we've changed some of that.

* (22:30)

But we want to make sure that young people in Manitoba—young people coming to Manitoba get the best training so that they are the cream of the crop, that they are the ones that Alberta wants to poach because they know that our workers are able to build things properly. That—they know our workers are able to build things safely. They know that our workers can build things on time and under budget and that is part of what having top-notch, high-trained, qualified tradespeople is. It's meeting all the standards that the government talks a lot about. But we can't do that if we always go to the bottom and not try to make things better.

So, to make a long story short, we've heard a lot of people talk about things that could be done to make this particular piece of legislation better and I will

offer myself, for what it's worth, to meet with the minister to try and accomplish some of that, to make this bill really something that all of Manitoba can be proud of and the rest of the country can go, well, why didn't we think of that, what a good idea; we should all strive for better-quality tradesmen.

Thank you.

Mr. Chairperson: We thank the member.

So, just as with the previous bill, during the consideration of this bill, the enacting clause and title and postponed until all other clauses have been considered in their proper order. Also, if there is, once again, agreement from the committee, I, the Chair, will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose.

Is that agreed? [*Agreed*]

Clauses 1 and 2—pass; clauses 3 and 4—pass; clauses 5 and 6—pass; clauses 7 to 10—pass; clauses 11 and 12—pass; clauses 13 and 14—pass; clauses 15 through 19—pass; clauses 20 and 21—pass; clause 22—pass; enacting clause—pass; title—pass; Bill be reported.

I thank the committee for their co-operation and perseverance through this night—through this evening. It's been a very long day, for me at least, and I thank you all for your cordiality. I think we did very well as a committee meeting room. Maybe you want to compare notes with how the other room went this evening. And I thank you all.

So, and I declare this meeting adjourned. Now am back to—am I supposed to say something else—oh, hang on.

The hour being 10:33, what is the will of the committee?

Some Honourable Members: Committee rise.

Mr. Chairperson: Committee rise.

COMMITTEE ROSE AT: 10:33 p.m.

WRITTEN SUBMISSIONS

Re: Bill 61

Winnipeg Construction Association

The Winnipeg Construction Association, established in 1904, represents the commercial construction industry in Manitoba. Our member firms include general contractor, sub-contractors, manufacturers,

suppliers, financial institutions, lawyers, insurance and bonding companies and brokers. These members deliver \$2 billion worth of high-quality, cutting-edge industrial, commercial and institutional buildings for Manitoba annually.

WCA has been proudly serving the ICI construction industry in Manitoba for over 115 years with an independent and reasoned approach to policy and government affairs. Our diverse membership base is our strength, delivering policy and advocacy priorities which are member driven and vetted, always with the focus to serve and promote the construction industry in Manitoba.

All policy advocacy positions are developed in consultation with our diverse membership directly and through our Government Relations Committee. Policy positions are then approved and endorsed through our Board of Directors to ensure WCA positions have an 'all of industry' perspective.

Bill 61—The Apprenticeship and Certification Act

The Winnipeg Construction Association is supportive of the efforts this bill is making to improve Apprenticeship Manitoba (AM) governance and its connection with the industries it serves. The only way AM can move forward in a positive manner will be to ensure that all three stakeholder groups (the Apprenticeship Board, the Apprenticeship Department and Industry) are all moving in the same direction.

This bill will make several changes to the act, resulting in significant operational changes. WCA will look at each of these below. There are two themes to our comments. First, there is general support for the attempts to improve the governance of Apprenticeship Manitoba and improve the connection to the industry. Second, while we support many of the amendments to the act, thorough and thoughtful implementation is the only way to be successful.

1. Reducing the Board from 15 to 12 members

WCA supports this change. It did not seem reasonable to have two public interest positions on the board. Also, making a training position rather than an apprentice position seems justified considering the difficulty to fill that apprentice role adequately.

As always, the quantity of the board members is not the most important aspect. There needs to be sufficient consideration of the quality of the board members. Board positions should be awarded based on skills, with the goal of having an identified required skills

matrix and the appropriate individuals recruited to fill that matrix.

The roles and responsibilities of the board also need to be clearly defined. The role of the board should not be operational and should rely heavily on the recommendations from subject matter experts—especially those of the established industry sector committees. The primary role of the board should be to evaluate committee recommendations against the established 5-year plan. If the recommendations are consistent, it should progress.

2. Providing for the board to submit strategic plans on five-year intervals instead of one-year intervals;

The need for a five-year strategic plan is obvious, however the process employed will determine if the plan has 'buy-in' from industry. Meaningful consultation with industry during the development of the plan is critical. Clearly the breadth of impact Apprenticeship Manitoba can have on Manitoba's workforce and overall economy is immense; there are 55 trades with 9 of them a compulsory trade. Considering this important role, the stakeholder consultations in the strategic plan need to be comparably broad in scope.

Associations need to be engaged early and meaningfully. This goes beyond a simple survey sent out to a large mailing list, it will mean meetings with associations with well prepared discussion documents sent out early. WCA members have a significant interest in the success of many of the voluntary and compulsory trades, as well as designated occupations. Our members have a vested interest in making sure training in trades and occupations suit the needs of the industry as a whole and need to be engaged. This is a valuable resource for the Apprenticeship Board—it's in their best interest to take advantage of it.

3. Enabling the board to establish committees;

WCA is supportive of the ability to create committees. Since the bill is not prescriptive it does not go into detail on how this ability will be used. We can only reference comments from Apprenticeship Manitoba on how this is envisioned.

We understand that the goal would be to create seven or eight standing sector-based committees with the potential to pull together on an 'as-needed' basis a specific industry working group.

Creating sector-based standing committees will be a positive step, if the following advice is followed:

- A clear terms of reference establishing the responsibilities and purview of the committees. These committees should provide advice to the Apprentice Manitoba board on:
 - Changes to training programs (additions and removal of subject material)
 - Impact of proposed regulation or by-law changes
 - Appropriate reference wage for apprentices
- The membership of the sector-based committees should be balanced
- Compensation should be provided to committee members

The ability to call an industry working group is also positive. There will be times that the sector-based committee will not have the detailed knowledge on specific trades to provide sufficiently vetted recommendations.

General Comments on the Activities of the Committees

The activities of the committees need to be transparent. WCA wants to avoid the situation where important decisions are being made or recommendations being advanced to the board without Industry knowledge. Working groups and sector-based committees should be required to report back to industry associations at regular intervals. This reporting requirement will need to happen in real time so WCA is in a position to provide comment on recommendations if required.

It is also imperative that the committee structure is adequately resourced with staff to ensure the committee meeting are held in regular intervals the arising actions are delivered. Without adequate resources the new committee structure will only replicate the current PAC structure.

4. Repealing provincial advisory committees and standing committees;

This is a positive step when linked with the establishment of sector-based standing committees.

5. Enabling the board to establish apprenticeship programs for voluntary trades and certification programs;

The ability to establish these programs is required due to the moving of the regulations governing voluntary trades to by-laws of the board. The most significant impact of the repeal of the regulations relate to the setting of apprenticeship wages, which we will touch on later

6. Enabling the board to establish standards of technical training and practical experience for certification programs;

Added flexibility in the training and certification sector is positive. It's impossible to predict what the next trade or occupation demand may be and adding this flexibility will lead to the industry responding to new needs faster.

The apprenticeship system is very competent at developing skilled tradespeople through a mix of practical and classroom learning. However, this system can be too rigid for the development of some needed skills. Ensuring there is flexibility built into the training and apprenticeship system will ensure Manitobans have additional opportunities to pursue occupations. Apprenticeship isn't for everybody and an apprenticeship program isn't appropriate for all skills in demand.

7. Labour mobility vs. Red Seal Program harmonisation

We are, as an industry, very supportive of existing trade agreements that encourage labour mobility. We appreciate the importance of the Red Seal program in recognizing skill and ability across provincial lines. We would however encourage discussion of jurisdictional amendments where they make sense. By way of example, we are strong supporters of the National Building Code of Canada, but we also continue to support Manitoba amendments that recognize unique construction conditions in our province. Similar consideration should be given to the Red Seal trade recognition program.

8. The setting of apprenticeship wages

This is a question that will need to be answered—industry's satisfaction—prior to proclamation of this bill. Currently, apprentice wages are set through a relationship between the general regulations, trade specific regulations and the Construction Industry Wages Act.

The repeal of voluntary trade regulations will create—hopefully unintended—negative consequences for apprenticeship wages in Manitoba. The general regulations state the minimum wages for apprentices as follows:

So potentially for example, a fourth-year plumbing apprentice would have a minimum wage of \$16.66 versus the current system with a minimum of \$29.60. This obviously can not be allowed to happen. Not only will provide a massive financial penalty to individuals

in the apprenticeship system it creates a significant disincentive to ever enter the apprenticeship program.

WCA would not support changes to regulations that do not guarantee the continuation of existing apprenticeship wages.

The Winnipeg Construction Association appreciates the opportunity to provide comment on Bill 61. As previously mentioned, we are appreciative that the Provincial Government is seeking to improve governance and industry engagement. We look forward to working further with Apprenticeship Manitoba on these issues.

Submitted by Darryl Harrison

Re: Bill 61

Merit Contractors Association represents a significant portion of the open shop construction community in Manitoba. Our membership is diverse, with members in the Heavy/Civil sector, general contractors, mechanical and electrical. Of note is that most of the construction sector (over 70%) in Manitoba and in Canada is open shop. Our group of members trains and employs many apprentices, so this bill is of utmost importance to us. We have been operating in Manitoba for over 25 years and have stellar companies within our membership who contribute significantly to the Manitoba economy.

We have reviewed the submission from Winnipeg Construction Association and Mechanical Contractors Association (who we share common members) and for the most part agree with their comments so we will not go into detail in this note. Of importance to us is change in ratios, flexibility in the boards ability to establish commit tees, consultation with the industry in the implementation of the changes, ,attention to the Apprenticeship wage and its harmonization with the CIWA and mobility in the industry.

Merit believes that the modernization of the regulations is a move in the right direction, and we thank the government for making the se changes and would like to be a part of the stakeholder consultation on a go forward basis.

Sincerely,

Yvette Milner
President
Merit Contractors Association

Re: Bill 61

Mechanical Contractor Association of Manitoba briefing

Background

Apprenticeship Manitoba commissioned a review of the apprenticeship and certification system (The System) in Manitoba in 2017. As an engaged, sizeable stakeholder, the Mechanical Contractors Association of Manitoba (MCAM) welcomed the review and participated fully. The goals of the review as outlined by Amec Foster Wheeler Environment & Infrastructure, a Division of Amec Foster Wheeler Americas Limited (2018) (The Review), aimed at to strengthening the system; through, improved stakeholder engagement, enhancing performance and accountability as well as providing due consideration for public interest. MCAM supports these goals.

MCAM appreciates the conditions related to the Global Pandemic which caused the delayed release of the review. In addition, MCAM appreciates the opportunity provided for stakeholder participation through the March 3, 2021 overview of Bill 61 and subsequent Q & A organized on behalf of Honourable Ralph Eichler, Minister of Economic Development and Jobs.

In response to Bill 61, The Apprenticeship and Certification Amendment Act (The Act) passing 2nd reading, the MCAM Board of Directors engaged an Industry working group to conduct a line-by-line review of the Bill.

In the spirit of opportunity for direct public input in the legislative process, MCAM provides this briefing for due consideration by The Committee.

Objectives, Intent and Potential Outcomes

Objectives of The Review highlighted, increased stakeholder/client engagement, improvements to quality of training, accessibility and responsiveness of the system, alignment with the department of Education and Training and legislative requirement relating to regulatory accountability, red tape reduction, streamline of services and stakeholder engagement, systemic cultural transformation.

Objectives of the Bill through the March 3, 2021 highlighted, modernization, effective and efficient engagement of stakeholders, reduction of red tape and administrative burden, responsiveness, and transparency.

The intention of Bill 61 stated within the November 2, 2020 motion by the Honourable, Minister Eichler is succinct, "This bill will amend the apprentice and certification act to support a more flexible and responsive apprentice and certification program . . . transformation required to meet the current needs of industry These modernizations support a more flexible, responsive apprenticeship and certification system . . ."

The combined comments of Minister Eichler, the objectives as outlined March 3, and substantive text within Bill 61 provide clear indication of governments intentions to achieve an apprenticeship and certification system designed to meet a higher standard of stakeholder engagement, system responsiveness and accountability, and cultural transformation.

MCAM suggests there exist opportunities to strengthen the text of Bill 61 to ensure Government's intentions are met not only by the current government, staff and apprenticeship and Certification Board but also by those who will serve in those positions in the years to come.

MCAM Requested Amendments

1. Apprenticeship and Certification By-laws – Duty to Consult

Intention - The intention of the MCAM recommendation is to strengthen the legislative expectations of the Apprenticeship and Certifications Board (ACB) bylaws in terms of the Board's duty to consult stakeholders.

Rational - At the March 3, 2021 Bill 61 overview, Industry heard the intention of the Minister and the department was the for the legislative amendments to provide for a consultative structure served by Sector Based Standing Committees as well as Industry working groups as needed. MCAM supports this committee structure. These amendments are inline with feedback MCAM provided during the 2017 review process.

The Review provided the following (pg1):

Governance is about building credibility, ensuring transparency and accountability as well as maintaining an effective channel of information disclosure that would foster good performance. The elements of good governance include: board focus on organizational mission and objectives; functional and effective controls; transparent disclosure; and well-defined stakeholder roles and responsibilities

Without questioning the intention of the Minister, department staff of Bill 61, MCAM believes the wording of Bill 61 as presented provides for these intentions relating to the duty to consult to be lost. The use of the word "may" rather than "will" removes the requirement of consultation.

MCAM Requested Amendment – renumbering of clauses may be required

8(1) The Board will make by-laws

- (a) establishing Sector Based Committees under section 9; and
- (a) establishing apprenticeship programs for voluntary trades in accordance with section 9.1, as transitioned from regulation

The Board may make by-laws

- (a) establishing certification programs for designated occupations in accordance with section 9.2; and
- (b) for any other purpose it considers necessary for the management and conduct of its affairs under this Act, including the establishment of standing committees in addition to the sector-based committees.

8(2) – 8(5) No change

9(1) When establishing a committee, the by-law must establish a membership skills matrix and responsibilities of the committee.

9(2) – 9(3) No change

9(4) The board may appoint to any committee of the board one or more persons who are not members of the board but have the necessary expertise as established by the membership skills matrix in accordance with section 9.1 to assist the committee in performing its functions.

2. Apprenticeship and Certification By-laws-Voluntary Trades

Intention – The intention of the MCAM recommendation is to strengthen the governance requirements relating to voluntary trades.

Rational

Based on clause 21(1), Transitional – Regulations, in combination with clause 8(1), By-laws, as well as the March 3, 2021 Bill 61 overview whereby staff indicated the intention was for Voluntary trades to be transitioned to ACB Board Bylaw, MCAM understand the intention of the amendments to be that of a transition process, not as abandonment of program requirements relating to voluntary trade programs. Specifically, a regulation currently serving

a voluntary trade will continue to exist. Should it be rescinded the Board is expected to replace it with a Board By-law.

This is a critical interpretation for MCAM on behalf of its membership. The Mechanical Industry represents several voluntary trades, with implications to public safety. In particular, the plumbing trade. Industry maintains plumbing should be designated as a compulsory trade. Without the legislative expectation of the existing regulations transitioning to bylaws, voluntary trades such as plumbing are at risk of being devalued and deskilled. Devaluation may occur with the potential loss of the reference wage rate. Deskilling may occur, unless the trade is protected through a stipulated regulation to bylaw transition or the Red Seal Certification reference in clause 9.3; a clause MCAM maintains should be amended.

MCAM Requested Amendment

8(1) The Board will make by-laws

- (b) establishing Sector Based Committees under section 9; and
- (c) establishing apprenticeship programs for voluntary trades in accordance with section 9.1, as transitioned from regulation

3. Programs for Red Seal Trades

Intention – The intention of the MCAM recommendation is to provide flexibility for jurisdictional amendments. Meeting the needs of the unique geographic and demographic characteristics of the Manitoba market.

Rational

Clause 9.3 dictates a Manitoba trade Program which has been designated for Inclusion in the Red Seal Program must not be inconsistent with the Red Seal Occupational Standard or National Occupational Analysis for the trade, regardless of the program existence within regulation or bylaw.

This foundational amendment to the Manitoba Apprenticeship system abdicates Manitoba's responsibility for the provincial apprenticeship system to the Canadian Council of Directors of Apprenticeship (CCAD). A council which is out of Manitoba's control or significant influence. In addition, the wording as provided nullifies the duty, opportunity and/or authenticity of consultation with Manitoba Stakeholders.

MCAM supports the Red Seal Program. MCAM appreciates and respects the work of the CCDA and

its members. MCAM appreciates the issue of Labour Mobility and efforts to address it through Harmonization.

The Canadian Council of Apprenticeship Directors (CCAD) launched the Harmonization Initiative in 2013. The goal of Harmonization outlined in the CCAD initiative is "Substantive" alignment. Manitoba has an enviable apprenticeship system and standards. Substantiative alignment is achievable through genuine engagement of Manitoba stakeholders by the Apprenticeship Leadership team.

In addition, systemic change should not be utilized to address exceptional issues such as labour mobility.

Incorporating flexibility in the apprenticeship system and working with provincial counterparts to address exceptional scenarios is a reasonable approach.

MCAM Requested Amendment

Remove 9.3, or
Programs for red seal trades
9.3 Red Seal Occupational Standards and National Occupational Analysis for an apprenticeship program

of a designated trade that has been designated by the Canadian Council of Directors of Apprenticeship for inclusion in the Interprovincial Standards Red Seal Program, will be given due to consideration in the development of the related regulations or By-laws.

Summary of MCAM Proposed Amendments - Appendix A (attached)

Mechanical Contractor Association of Manitoba (MCAM)

MCAM is a provincial trade association representing the Mechanical Industry of Manitoba. The MCAM membership represents the spectrum of the Mechanical Industry including, rural, urban, union, and non-union contractors, suppliers, and sub-trades. MCAM members construct, service and supply the residential, institutional, commercial, industrial, and heavy industrial mechanical systems within Manitoba's vertical infrastructure.

Respectfully Submitted
Ramona Coey
Executive Director, MCAM

The Legislative Assembly of Manitoba Debates and Proceedings
are also available on the Internet at the following address:

<http://www.manitoba.ca/legislature/hansard/hansard.html>