



Second Session - Thirty-Seventh Legislature

of the

Legislative Assembly of Manitoba

Standing Committee

on

Industrial Relations

Chairperson

Mr. Daryl Reid

Constituency of Transcona



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

THE STANDING COMMITTEE ON INDUSTRIAL RELATIONS

Monday, December 11, 2000

TIME –7 p.m.

LOCATION – Winnipeg, Manitoba

**CHAIRPERSON – Mr. Daryl Reid
(Transcona)**

**VICE-CHAIRPERSON – Mr. Cris Aglugub
(The Maples)**

ATTENDANCE - 11 – QUORUM - 6

Members of the Committee present:

Hon. Ms. Barrett, Hon. Ms. McGifford,
Hon. Ms. Mihychuk

Mr. Aglugub, Ms. Cerilli, Ms.
Korzeniowski, Messrs. Loewen, Reid,
Schuler, Mrs. Stefanson, Mr. Tweed

MATTERS UNDER DISCUSSION:

Bill 4–The Manitoba Employee Ownership
Fund Corporation Amendment Act

Bill 3–The Civil Service Superannuation
Amendment Act

Bill 6–The Pension Benefits Amendment
Act

Bill 2–The Employment Standards Code
Amendment Act

Mr. Chairperson: Will the Standing Committee on Industrial Relations please come to order. Our first order of business is the election of a Vice-Chairperson. Are there any nominations?

Ms. Bonnie Korzeniowski (St. James): I nominate Mr. Aglugub.

Mr. Chairperson: Mr. Aglugub has been nominated. Are there any further nominations? Seeing no further nominations, Mr. Aglugub is appointed Vice-Chairperson.

This evening the committee will consider the following bills: Bill 2, The Employment Standards Code Amendment Act; Bill 3, The Civil Service Superannuation Amendment Act; Bill 4, The Manitoba Employee Ownership Fund Corporation Amendment Act; and Bill 6, The Pension Benefits Amendment Act.

We have no presenters registered to make public presentations on any of these bills. Are there any persons in attendance today who wish to make a presentation to Bills 2, 3, 4 or 6? If so, please come forward. Seeing none, is it the will of the committee to proceed with clause-by-clause consideration of these bills? *[Agreed]*

Just before we deal with the bills, did the committee wish to indicate how late it is willing to sit this evening?

Mr. Mervin Tweed (Turtle Mountain): I do not think time is going to be a factor in tonight's process.

Mr. Chairperson: Thank you, Mr. Tweed. It is a courtesy we put as Chair to the committee. Thank you for your advice.

Does the committee wish to proceed with consideration of these bills? Is it the will of the committee to proceed with bills in this order: Bill 4, Bill 3, Bill 6 and then Bill 2? *[Agreed]* Thank you. Then we will proceed with Bill 4.

**Bill 4–The Manitoba Employee Ownership
Fund Corporation Amendment Act**

Mr. Chairperson: Does the minister responsible for Bill 4 have an opening statement?

Hon. MaryAnn Mihychuk (Minister of Industry, Trade and Mines): Yes, a very short one. I just want to indicate to members of the committee, in responding to the questions from the member from Fort Whyte, that we are indeed working with ENSIS and Crocus to ensure that their statutes will allow them to be competitive. I have met with both Mr. Watchorn and Mr. Kreiner, and I am familiar with their concerns. We are hoping to bring forward legislation in the next session or as soon as possible to deal with a number of other issues to make those funds equitable. That concludes my comment.

Mr. Chairperson: Does the critic from the Official Opposition have an opening statement?

Mr. Ron Schuler (Springfield): No.

Mr. Chairperson: We thank the member. During the consideration of a bill, the enacting clause—Mr. Tweed?

Mr. Mervin Tweed (Turtle Mountain): I just have one question, if I could, of the minister. You have mentioned that you are bringing out other legislation. Is there a reason why then we are dealing with this at this point in time?

Ms. Mihychuk: There is a sense of urgency on this. The RRSP season occurs shortly after Christmas, and this lifts off the cooling-off period for Crocus. People need to know as soon as possible whether they will be able to reinvest in this season or not.

Mr. Chairperson: No further questions?

During consideration of a bill, the enacting clause and the title are postponed until all other clauses have been considered in order. If there is agreement from the committee, 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]* Thank you.

Clauses 1, 2 and 3—pass; clause 4—pass; enacting clause—pass; title—pass. Bill be reported.

Thank you to committee members.

Bill 3—The Civil Service Superannuation Amendment Act

Mr. Chairperson: We will begin consideration of Bill 3. Does the minister responsible for Bill 3 have an opening statement?

Hon. Becky Barrett (Minister of Labour): No, just again to thank all members of the House for agreeing to the expeditious procedure of all the bills that are before us tonight so that we can make these changes effective as quickly as possible.

Mr. Chairperson: Does the critic from the Official Opposition have an opening statement?

Mr. Ron Schuler (Springfield): Mr. Chairman, we on the Opposition are pleased to be supporting this bill. It should be noted that the monies we are discussing are actually the employees' money. It has been well invested, and they deserve the spinoffs for that. We think it is important for our citizens to have a good pension and this certainly will contribute to it. We are again very pleased to be moving this bill along with unanimous consent.

Mr. Chairperson: Thank you, Mr. Schuler. During consideration of a bill the enacting clause and the title are postponed until all other clauses have been considered in order. If there is agreement from the committee, the Chair will call clauses in blocks that conform to pages with the understanding that we may stop at any particular clause or clauses where members may have comments, questions or amendments to propose. Is that agreed? *[Agreed]*

We will proceed with blocks of clauses on Bill 3.

Clauses 1, 2—pass; clauses 3(1), 3(2), 3(3), 4, 5, 6(1)—pass; clauses 6(2), 7—pass; clauses 8(1), 8(2)—pass; clauses 8(3), 8(4), 9, 10, 11(1)—pass; clauses 11(2), 11(3), 12—pass; clauses 13, 14, 15(1), 15(2)—pass; enacting clause—pass; title—pass. Bill be reported.

* (19:10)

Bill 6—The Pension Benefits Amendment Act

Mr. Chairperson: The next bill for consideration is Bill 6. Does the minister responsible for Bill 6 have an opening statement?

Hon. Becky Barrett (Minister of Labour): Mr. Chair, again, this bill brings into modern day age some of the elements of The Pension Benefits Act, and we are again very grateful for the support of all parties in the Legislature to make this bill a reality as quickly as possible.

Mr. Chairperson: I thank the minister for that statement. Does the critic from the Official Opposition have an opening statement?

Mr. Ron Schuler (Springfield): Again, this is a bill that we will be agreeing to, and we have had a chance to be briefed on it. As I stated already, it is one of these bills that we would like to see through before the year-end and are pleased to be supporting.

Mr. Chairperson: During the consideration of a bill, the enacting clause and the title are postponed until all other clauses have been considered in order. If there is agreement from the committee, 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; clause 3—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 2—The Employment Standards Code Amendment Act

Mr. Chairperson: The next bill for our consideration is Bill 2. Does the minister responsible for Bill 2 have an opening statement?

Hon. Becky Barrett (Minister of Labour): Just very briefly again, this is a bill that has received all-party support for going forward. This one, as we all know, will enable parents to take full advantage of the maternity and parental leave extension of employment insurance benefits with

the understanding that their position or a similar position will be available to them upon returning from whatever portion of the extended leave they wish to have.

Mr. Chairperson: I thank the minister for the statement. Does the critic from the Official Opposition have an opening statement?

Mr. Ron Schuler (Springfield): Again, this is a bill that, as stated in the House, we are going to be supporting. We felt it probably should have come sooner than it is right now. There is some anxiety out in the community in regard to this. Certainly we have got a lot of phone calls in our constituency offices. People were concerned was it going to be put through, who qualified, et cetera. We were really pleased to hear from the minister that she was planning on proceeding during this opening session to put forward the bill. The minister again did have me in so that we could be briefed on the particular bill, and we have found that it seems to be in good order and something that we could all agree upon.

We do think that it is very reflective of our society. Certainly our governments and a lot of people in academia are saying that early intervention is where we should be placing more money rather than looking at late intervention, especially when our children get into the later grades. So I think this is a very progressive move. I think it addresses the kinds of things that we have been talking about. Certainly, during my time on the school board, the feeling is the sooner you get to the children the sooner you get to assess them, the more time that is spent with them, those early years the better it is. Again, this is something that we are really excited about and we are pleased to see it being proposed and going through. We look forward to seeing it in the House for third reading. Again, we will be supporting this bill.

Mr. Chairperson: During the consideration of a bill the enacting clause and the title are postponed until all other clauses have been considered in order. If there is agreement from the committee 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, 2 and 3—pass; clauses 4(1), 4(2), 5 and 6—pass.

Hon. Becky Barrett (Minister of Labour): I believe that an amendment is going around to the committee members that I would like to read, and I would move

THAT the following be added after section 5 of the Bill:

5.1 Subsection 60(1) is amended by striking out "12 consecutive months" and substituting "seven consecutive months".

This change was missed in the original drafting of the legislation. It comes actually in the later section of the act, sort of a general set of clauses, and so this amendment simply makes the general clause the same as the clauses in the specific piece of legislation, changing the qualifying period from 12 months to 7 months. The little wrinkle here is that this is technically out of scope because it amends a section of the act that was not in the original bill before us, but if the committee would agree with us that we can deal with this now because it is certainly not out of scope in the nature of the bill and the intention of the bill, so I am proposing that the committee agree to deal with this amendment at this time.

Mr. Ron Schuler (Springfield): To the committee, clearly, from our leader on down, we have indicated that we support the bill and this is an administrative change that is taking place. So certainly on this side we have no difficulty with giving leave or whatever it is that we need to move the bill along.

Mr. Chairperson: There appears to be a willingness to consider the amendment. To do so would require the unanimous consent of all committee members. Is there unanimous consent? *[Agreed]* Thank you.

It has been moved by the minister

THAT the following be added after section 5 of the Bill:

5.1 Subsection 60(1) is amended by striking out "12 consecutive months" and substituting "seven consecutive months".

Is the committee ready for the question?

Some Honourable Members: Question.

Mr. Chairperson: Do you wish the question repeated?

An Honourable Member: No.

Mr. Chairperson: Is it the pleasure of the committee to adopt the amendment?

Some Honourable Members: Agreed.

Mr. Chairperson: Thank you.

* (19:20)

Clauses 4(1) and 4(2)—pass; clause 5 as amended—pass; clause 6—pass; enacting clause—pass; title—pass. Bill as amended be reported.

I believe that concludes the business of the committee for this evening for the consideration of these bills. We thank the committee members for their co-operation. Committee rise.

COMMITTEE ROSE AT: 7:20 p.m.