

Fourth Session - Fortieth Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Social and Economic Development

Chairperson
Mr. Bidhu Jha
Constituency of Radisson

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MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

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

Wednesday, June 24, 2015

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Bidhu Jha (Radisson)

VICE-CHAIRPERSON – Mr. Andrew Swan (Minto)

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

*Hon. Messrs. Allum, Chief, Hon. Ms. Irvin-Ross,
Hon. Mr. Lemieux*

*Mr. Briese, Ms. Howard, Messrs. Jha, Schuler,
Mrs. Stefanson, Messrs. Swan, Wishart*

PUBLIC PRESENTERS:

Bill 18–The Certified Occupations Act

Mr. Terry Shaw, Manitoba Trucking Association

*Bill 206–The Workers Compensation
Amendment Act (Employer Advisers)*

*Mr. Elliot Sims, Canadian Federation of
Independent Business*

MATTERS UNDER CONSIDERATION:

*Bill 5–The Police Services Amendment Act (First
Nation Safety Officers)*

*Bill 14–The Consumer Protection Amendment
Act (Home Improvement Contracts)*

Bill 18–The Certified Occupations Act

*Bill 26–The Adult Abuse Registry Amendment
Act*

*Bill 206 – The Workers Compensation
Amendment Act (Employer Advisers)*

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Mr. Chairperson: Good evening. Will the Standing Committee on Social and Economic Development please come to order.

First item of business is the election of the Vice-Chairperson. Are there any nominations?

Ms. Jennifer Howard (Fort Rouge): I nominate Mr. Swan.

Mr. Chairperson: Mr. Swan has been nominated. Any other nominations?

Seeing no other nominations, Mr. Swan is elected Vice-Chairperson.

The meeting has been called to consider the following bills: Bill 5, The Police Services Amendment Act (First Nation Safety Officers); Bill 14, The Consumer Protection Amendment Act (Home Improvement Contracts); Bill 18, The Certified Occupations Act; Bill 26, The Adult Abuse Registry Amendment Act; Bill 206, The Workers Compensation Amendment Act (Employer Advisers).

How late does the committee wish to be sitting?

Mrs. Heather Stefanson (Tuxedo): Yes, Mr. Chair, I think we should sit until the bills and the matters have been dealt with on the agenda for this evening.

Mr. Chairperson: Is that agreed? [*Agreed*]

We have two presenters registered to speak tonight, as noted on the list of presenters before you.

Before we proceed with the presentations, we do have a number of other items and points of information to consider.

First of all, if there is anyone else in the audience who wish to make a presentation this evening, please register yourself with the staff at the entrance.

Also for the information of all presenters, while the written versions of presentations are not required, you are going to—if you are going to accompany your presentation with written materials, we ask you to provide 20 copies. If you need help in photocopying, please speak to our staff.

As well, in accordance with our rules, a time limit of 10 minutes has been allotted for presenters, with another five minutes allowed for questions from the committee members.

If a presenter is not in the audience 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.

Prior to proceeding with the public presentations, I would like to advise members of the public regarding the process for speaking in the committee. The proceedings of our committee are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I have first to say the person's name. This is the right signal for the Hansard recorder to turn the mics on and off.

Thank you for your patience.

We will now proceed with the public presentations, and I again advise anyone—wants to—wishes to ask questions, please raise your hand and I will recognize.

Now I'd like to see—the presenters are on Bill 18, Terry Shaw, and on Bill 206—[*interjection*]

Bill 18—The Certified Occupations Act

Mr. Chairperson: Mr. Shaw, please come. Do you have any written material for presentation?

Mr. Terry Shaw (Manitoba Trucking Association): I do not.

Mr. Chairperson: Okay. Then go ahead, please.

Mr. Shaw: Thank you.

As mentioned, my name is Terry Shaw. I'm the executive director of the Manitoba Trucking Association and I'm here to lend the MTA support to Bill 18.

For many years our industry has struggled with driver training. Provincially and nationally, our industry is actively pursuing opportunities to partner with government on entry-level driver-training initiatives.

There are many reasons for this, but it is, in part, due to the nature of class 1 licensing, in our country. The licensing function provides a minimum compliance standard when it comes to qualifying drivers. Our industry, though, has minimum employability requirements that go well beyond the minimum licensing and compliance standards. As such, when it came time for the Manitoba trucking industry to tackle the challenge of entry-level training, we approached it as an educational and economic consideration, not as a licensing or compliance function.

For many years we attempted to plug in to the apprenticeship system in an effort to meet these educational needs. We found, and we are aware of other industries that encountered the same situation,

that apprenticeship regulation is very rigid and prescriptive and, as such, did not meet the needs of our industry regarding this training.

Through many years of discussions with many people, including apprenticeship staff and board members, as well as, most recently, including Minister Chief, we find ourselves today with an opportunity to proceed in collaboration with our government on an item that will benefit our industry, those we seek to employ and, we believe, many other industries and Manitobans that will follow.

As with any occasion, when one puts pen to paper upon reflection, there may be an opportunity to strengthen one's intentions and messaging. Again, while we're here in support of Bill 18, it is being suggested that the act, as written, might be improved should the following points be taken into consideration: it would be our desire that the board composition be from the employer community and made upon recommendation of the Manitoba Employers Council; the authority of the director be subject to the controlled direction and authority of the board; there be no certification of any occupation; and there should be no setting of training standards unless clearly based upon industry request; and we believe this act need not include mention of the setting of wage rates.

We believe Bill 18 offers an opportunity to support our economy by providing industry with dynamic, responsive and flexible training opportunities. We thank those whose hard work have provided this opportunity so far, and we look forward to being active participants in this item as it proceeds.

Thank you.

Mr. Chairperson: Thank you very much. Thank you for your representation.

Do members have questions?

Mrs. Heather Stefanson (Tuxedo): Thank you, Mr. Shaw, for your presentation tonight.

You made mention of the area of section 14 of the regulations re occupations, and certain things that are subject to the approval of the minister, of the board, and the board may make recommendation—or regulations. And section (f) states, "respecting the rate of wages for persons engaged in certification programs." You made mention of that.

Is that something that your industry would prefer not be a part of this piece of legislation?
[interjection]

Mr. Chairperson: Kindly raise your hand, yes.

Mr. Shaw, go ahead.

Mr. Shaw: As indicated earlier, we are here in support of Bill 18 as it is currently written. With that said, we would support your comments, and we do support our previous comments that it might be strengthened should some of the adjustments we suggested be taken into consideration, yes.

Mr. Chairperson: Does the honourable minister have a statement to make? Do you have a question, Mr. Minister?

Hon. Kevin Chief (Minister of Jobs and the Economy): Terry, I just want to thank you for coming down, taking the time, and it's been great working with you. And I look forward to our continued work together.

Mr. Chairperson: Anyone else have a question?

Thank you very much, sir.

**Bill 206—The Workers Compensation
Amendment Act (Employer Advisers)**

Mr. Chairperson: Now we have Bill 206. I have one presenter.

Mr. Elliot Sims? Yes, Mr. Sims, do you have any written material to your presentation?

*(18:10)

Mr. Elliot Sims (Canadian Federation of Independent Business): No, I don't.

Mr. Chairperson: Okay. So kindly go ahead with your presentation.

Mr. Sims: Well, good evening, members of the Legislative Assembly and staff.

It's a privilege to come here tonight and speak in support of Bill 206, The Workers Compensation Amendment Act (Employer Advisers).

For those who don't know me, I'm Elliot Sims, the Manitoba provincial affairs director for the Canadian Federation of Independent Business. For those of you who might not be familiar with CFIB, we are Canada's largest advocacy organization that fights for the opinions and views of small- and medium-sized independent businesses.

We have 109,000 members across the country, 4,800 of which are here in Manitoba. We represent all sectors of the economy and all regions of the province. Our primary mission is to commend good policy and criticize bad policy from the viewpoint of a small-business owner and to ensure that the laws that govern our province and our country reflect the realities of running a small business, and that's precisely why I'm here to speak in support of Bill 206.

CFIB has long been active on the Workers Compensation Board file to ensure that it is run in a transparent, financially sustainable manner that reflects the initial founding principles of the workers compensation system. To that end, in 2010, CFIB did a major report that evaluated the ability of WCB systems across Canada to reflect the needs of small businesses.

What that report found is that overall Manitoba scored fairly poorly, ranking seven out of 10 when it comes to being an effective organization for small businesses. The study looked at 35 indicators across a broad range of issues, some of them on which we did very well, such as premium levels, but there was other areas such as in the case management system where we scored actually quite poorly. When it came to case management, we were dead last in the country with a score of four out of 10.

I should also note in here that one of the key indicators in that study was the existence of an employer adviser's office in the WCB system. Unlike larger businesses that may have a staff member that's dedicated to working and managing their workplace accident claims, small businesses, most of who only have one or two employees, don't have that level of knowledge and familiarity with WCB. In fact, and I'm happy to say that, because of the safety record of many small businesses, it may be years or even decades between their having to file a workplace safety and health claim. This makes—this infrequency of use can make it difficult to be up to date with all of the rules and obligations that a small-business owner has to comply with to manage the case effectively going through the system, and that's where an employer adviser becomes a critical part of the WCB system.

Because of the somewhat complicated and convoluted nature of the system, having an employer adviser that is knowledgeable about the system and will advocate to ensure that the system responds to the concerns of the small-business owner is critical

to ensuring we have a fair and transparent process, not just for injured workers but also for the employers. This bill would create such an office in Manitoba and provide that system so that we have a truly transparent and fair WCB system in Manitoba.

I should note that we are not the first province to go down this road; in fact, six out of 10 provinces in Canada—Ontario, BC and all of the Atlantic provinces—already have employment advisers in or—sorry, employer advisers in their provinces that help small-business owners work through their system.

And I would also like to note that CFIB is not the only organization—or only organization that is looking at—for this. I would like to remind the committee that a legislative review of committee over a decade ago tabled a report called Working for Manitoba that unanimously recommended the creation of an employer adviser office to mirror the already existing employee adviser office. This was, in the words of the report, was to do—was to be done to ensure natural justice occurs. Right now it seems odd that employers who pay for the—100 per cent of the cost of the system do not have access to an employer adviser to help them navigate the system while injured workers already do.

So, with that, I guess I would like to thank the MLA for La Verendrye, Mr. Dennis Smook, for putting this bill forward for debate in the Legislature, and I'd also like to thank the government and opposition for working together to see that this important bill, actually one of the top three legislative priorities of small-business owners in this session, make it to committee and, hopefully, for its final passage through the House in the coming days.

Thank you.

Mr. Chairperson: Thank you very much.

Mrs. Heather Stefanson (Tuxedo): Thank you very much, Mr. Sims. In particular, thank you on behalf of the member for La Verendrye (Mr. Smook) and also the predecessor for this bill as well when it was previously brought forward, the member for Riding Mountain (Mrs. Rowat), and my colleagues in the Manitoba Legislature. Thank you very much for taking the time out of your schedule and being here and presenting to the committee tonight.

Hon. James Allum (Minister of Education and Advanced Learning): Mr. Sims, thank you for coming tonight and for your presentation. At the outset of your presentation you referred to a study

done. I didn't quite hear who the author of that report was, sorry—[interjection]

Mr. Chairperson: Mr. Sims, please get recognized. Thank you.

Mr. Sims: The study was conducted by CFIB. It contained a number of both survey-related questions on our members' experiences with the system, as well as some qualitative analysis in terms of things like does an employer adviser's office exist, or what is the system for setting the insurable earnings rate. So it was a mixture of those things.

Mr. Allum: And this report was completed when?

Mr. Sims: It was conducted in 2010 and we have—we are working on a revised edition to be done either later this year or early next.

Ms. Jennifer Howard (Fort Rouge): Thank you very much for your presentation. I'm wondering if you could take us through what would be an example of something that a small-business owner would bring to an employer adviser and how an employer adviser would aid that small-business owner. Like, I'm just trying to wrap my head around—I'm fairly well-versed with what the worker adviser's office does with injured workers. I'm not sure I understand completely what an employer adviser would be doing.

Mr. Sims: Well, thanks for the question. From my understanding, it's that the role is basically the same when it comes to the employer adviser as compared to the employee adviser. For instance, a business owner might come in with a claim and work through the process with the WC officials and, at the end of the day, might not—might have a ruling that they do not think took into consideration all the facts.

The employer adviser's office would be there to—for them to bounce the ideas off of and say, is this worth appealing, is it not worth appealing, is there some information that should be taken a second look at. It's very different, from what I understand, from the fair practices officer that we already have, whose jurisdiction is to ensure that the process is followed correctly and due diligence is provided, whereas the employer adviser is there to really be the advocate and ensure that if they think there's a good case to move forward with either an appeal or a change or however it might work in each circumstances, that they've got that knowledge and expertise in how to do that and make it happen.

Ms. Howard: So would it be fair to say, then, that the job of the Worker Advisor Office being to assist the worker to take the claim forward if the worker feels that they haven't received an adequate hearing or adequate compensation to assist them, then the job of the employer adviser would be for an employer who went forward, had a claim—one of their workers had a claim, felt that claim wasn't justified or felt that the compensation was too much for the worker, the employer advocate's—or the employer adviser's role would be to help the employer counter the injured worker's claim. Would that be a fair thing to say?

Mr. Sims: I would say the worker—or the employer adviser would be there to ensure that the relevant facts and details are provided in the most compelling format for the employer.

Ms. Howard: So they're not an adviser as much as an advocate. The idea would be that this employer adviser would listen to an employer's case, decide whether they thought they should appeal and encourage them to appeal and take them through how they would appeal. And the goal of the appeal would be to limit, reduce or deny the claim of the injured worker.

* (18:20)

Mr. Sims: I believe that in—the reverse case that's exactly what the worker adviser's goal is to do, and this would be a similar counterbalance.

Mr. Chairperson: Thank you, Mr. Sims.

That concludes the list of presentations I have before me. Are there any other persons in the—attendance who wish to make a presentation? Seeing none, that concludes public presentation.

* * *

Mr. Chairperson: In what order does the committee wish to proceed with clause-by-clause consideration of these bills?

Ms. Howard: Yes, I believe there was a request that we start with Bill 26, and then I think after that, unless there are other advice that we would just go through them numerically, if that's all right.

Mr. Chairperson: Is that in agreement? *[Agreed]*

Bill 26—The Adult Abuse Registry Amendment Act

Mr. Chairperson: Does the minister responsible for Bill 26 have an opening statement?

Hon. Kerri Irvin-Ross (Minister of Family Services): Yes, I have a brief statement, please.

Mr. Chairperson: Go ahead, Madam Minister.

Ms. Irvin-Ross: It is a privilege to present Bill 26, The Adult Abuse Registry Amendment Act to this committee.

In 2013, we introduced the Adult Abuse Registry, the first of its kind in Canada, to help protect vulnerable Manitobans. The registry protects adults with intellectual disabilities and patients receiving care in health facilities throughout the province. Allegations are investigated by the registry committee who determines if the employee abused, neglected or exploited an individual. If so, their name is added to the registry. Law enforcement bodies are notified early in the process to determine whether charges should be laid.

The registry is used extensively by employers throughout the province to screen potential employees or volunteers to ensure individuals who have abused vulnerable persons and patients in the past are not able to gain employment caring for any vulnerable Manitobans in the future. It acts as a safeguard to prevent access to vulnerable adults and patients by known offenders.

The bill before us today will enhance the registry's ability to function as a protected mechanism by requiring the committee to proactively report the names of individuals referred for placement on the registry to employers and regulatory bodies. This will ultimately enable employers to make more informed and defensible decisions regarding who works in facilities and agencies providing care to patients and vulnerable adults.

The legislation will effectively strengthen the protective capacity of Canada's first adult abuse registry, and I'd like to thank the staff who've worked on that as well as civil legal who helped draft these amendments. Thank you.

Mr. Chairperson: We thank the honourable minister.

Does the critic of the official opposition have an opening statement?

Mr. Ian Wishart (Portage la Prairie): I'll keep my comments brief.

We're generally in support of how this would work. Certainly, the initial bill provides some level of protection for seniors and vulnerable persons, and adding a registry that would be shared information all across the board can only improve that, and we

think that, as this portion of population grows in the future, as we have many people aging at the end of the baby boomers or at the baby boomer stage, that we need to be in—particularly aware of this problem. So we appreciate the bill.

Mr. Chairperson: We thank the member.

Now we will start going clause by clause.

Clauses 1 through 3—pass; clause 4—pass; enacting clause—pass; title—pass. Bill be reported.

Thank you.

**Bill 5—The Police Services Amendment Act
(First Nation Safety Officers)**

Mr. Chairperson: Now we are going to consider Bill 5, the public service amendment act.

Does the minister responsible for Bill 5 have an opening statement?

Hon. James Allum (Acting Minister of Justice and Attorney General): I do, Mr. Chair.

Mr. Chairperson: Go ahead, Honourable Minister.

Mr. Allum: This bill amends The Police Services Act to enable First Nations to enter into an agreement to establish First Nation safety officer programs in their communities. This bill sets out the framework required for these programs.

As announced in the Throne Speech, Manitoba is committed to working with First Nations to address potential public safety concerns resulting from the federal government's decision to eliminate the band constable program. Furthermore, the bill has been designed to respond to the unique needs of First Nation communities.

The amendments before the House ensure flexibility so that each individual program developed under the act can be tailored to the needs identified by that particular First Nation community. The bill outlines the purpose of First Nation safety officers, which is to work in collaboration with local police to enhance public safety in First Nation communities. Their role will include implementing crime-prevention strategies and initiatives, connecting persons in need with social service and community resources, and maintaining a visible presence within the community.

Based on consultations with each participating First Nation, First Nation safety officers may also enforce band bylaws and specific provincial statutes identified by regulation. If authorized, First Nation

safety officers may also assist the local police service with non-criminal matters. The bill also clearly states that First Nation safety officers have peace officer status when enforcing provincial statutes. Rules outlining qualifications, training, duties, equipment and uniforms will be prescribed in regulation.

Amendments in this bill expand on our government's commitment to enhancing public safety in every community, whether it be urban, rural or First Nation. First Nation safety officer programs uphold the fundamtable principles enshrined in The Police Services Act and will be another public safety initiative that is responsive to the needs of Manitoba's First Nation communities.

Thank you, Mr. Chair.

Mr. Chairperson: We thank the minister.

Does the critic from the official opposition have an opening statement? Yes, Mr. Briese.

Mr. Stuart Briese (Agassiz): Mr. Chair, just a few words on this bill. It's a necessary action to take. The federal contribution—it's my understanding the federal contribution stays the same and it's rolled over to the Province. And the Province is required to basically—not exactly—but basically come close to matching that federal contribution.

Several things that are going to happen with this bill are there'll be an enhanced training program. Thirty-one of the First Nations in the province are—have the policing people in place.

If I have a concern over the bill, it's probably over escalating costs as we move forward, and I think it would probably be helpful to somewhat address those costs up front, because we're going into enhanced training. We're going into probably an expansion of the services to more First Nations, and we're probably going to see some substantial salary increases. And I hope that we think about and address some of those escalating costs as we go forward.

Thank you.

Mr. Chairperson: We thank the member.

Now we'll go clause by clause.

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

Bill 14—The Consumer Protection Amendment Act (Home Improvement Contracts)

Mr. Chairperson: Now we are considering Bill 14.

Does the minister responsible for Bill 14 have an opening statement?

Hon. Ron Lemieux (Minister of Tourism, Culture, Heritage, Sport and Consumer Protection): I do, Mr. Chair.

* (18:30)

Mr. Chairperson: Kindly go ahead, Honourable Minister.

Mr. Lemieux: Whether it's renovating a kitchen or bathroom, or replacing a roof or building in a garage, tens of thousands of Manitoba families plan major home-renovation projects every year.

We've listened to families concerned about renovations and paying more than they expected, or facing lengthy delays in renovation work. This legislation we hope will address this. A lot of consultation has taken place with the industry as well as consumers, and in order to address these issues, the bill requires written contracts for most home-improvement projects.

Home improvement contracts lay out the project and ensure the price, payment terms and timelines, that consumers receive a copy of the contract before any work is completed, also the timeline with regard to when the job starts and when it should end.

Many have been in support of this legislation, and through the public consultation process, we worked closely with the Manitoba Home Builders' Association and they've been supportive of this legislation throughout the process. And, as the Manitoba Home Builders' Association couldn't attend the committee tonight, I'd like to read a quote from Mike Moore, the Manitoba Home Builders' Association spokesperson which says: We have long advocated for the best way to ensure consumers are satisfied with a home-improvement project is to get it in writing. The Manitoba government's proposed initiative will do just that; helping to ensure consumers and contractors are on the same page, which will avoid surprises later on. So this legislation protects the business and the contractor, as well as protecting the consumer overall.

Thank you, Mr. Chair.

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

Mr. Ron Schuler (St. Paul): As we find that real estate values increase and a lot of new Canadians and younger generation get into the market, they tend to

buy houses that do need renovations and there seems to be, certainly, in my office, a lot more complaints coming forward in regards to unscrupulous renovations individuals. And I understand that individuals who go door to door are covered already. This is covering a different group of individuals, and, unfortunately, we have to pass this kind of legislation to protect individuals.

I know in the minister's briefing we talked about specific cases, and it's very unfortunate that there are individuals prepared to prey upon individuals who, you know, don't know what they're getting themselves into and somehow are convinced to pay at least half, if not three quarters, of the money, and a couple of walls are taken down, and they're never seen from again.

So this is probably a piece of legislation that's timely and addresses—I know something that probably most members of the Legislature are getting walked into their office insofar as concerns.

Mr. Chairperson: We thank the member for that.

Now we'll go clause by clause.

Clauses 1 through 3—pass; clause 4—pass; clause 5—pass; clauses 6 and 7—pass; enacting clause—pass; title—pass. Bill be reported.

Bill 18—The Certified Occupations Act (Continued)

Mr. Chairperson: Now we are considering Bill 18.

Does the honourable minister responsible for Bill 18 have an opening statement?

Hon. Kevin Chief (Minister of Jobs and the Economy): Yes, I do.

Mr. Chairperson: Kindly go ahead, Mr. Minister.

Mr. Chief: Good evening. I'd like to start again by thanking Terry Shaw from the Manitoba truckers association for his presentation and taking the time to come out this evening.

As you may know, the—trucking will be the first occupation certified through The Certified Occupations Act.

It has been a pleasure to work with Terry on this legislation. I would personally like to thank him for all his knowledge, experience and support, and oftentimes, patience, that he has brought to the table in supporting this legislation.

This is—this, of course, has the potential to add up to 300 new skilled workers in Manitoba, to ensure that truck drivers will have new and easier pathways to access training and become certified, as one example.

The new legislation will build on the experience and success of the apprenticeship system that has existed for 71 years in Manitoba. We are incredibly proud of the apprenticeship model, but we know that not all professions fit the requirements of the apprenticeship model. The more flexible occupations framework will provide the opportunity to engage sectors that have not traditionally been involved in apprenticeship system.

A new board will be established which will be responsible for regulating many of the parameters under the act. The Certified Occupations Board will be made up of members who possess knowledge of the training and employment needs. All the regulations will be industry driven, and recommendations made by the new board will be based on industry-identified needs and requirements.

We know that going forward consultation is key, and we'll continue to partner with industry leaders and stakeholders in moving this forward.

Once again, thank you all for being here this evening.

Mr. Chairperson: Thank you, Mr. Minister.

Does the critic from the official opposition have an opening statement?

Mrs. Heather Stefanson (Tuxedo): I, too, want to thank Mr. Shaw for being here tonight and for all the work that he has put into this. It's great to have him involved in this process.

We in opposition agree with the intent of this bill. However, we do believe that there are some areas of improvement that are needed, and so we will be bringing forward some amendments at the report stage to address some of those issues. And we hope that all members of the Legislature will help us in making sure that this legislation becomes the best that it can be.

Thank you, Mr. Chair.

Mr. Chairperson: We thank the member.

Now we'll go clause by clause.

Clause 1—pass; clauses 2 through 6—pass; clauses 7 through 9—pass; clauses 10 through 12—pass; clause 13—pass; clauses 14 and 15—pass; clause 16—pass; clauses 17 and 18—pass; table of contents—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 206—The Workers Compensation
Amendment Act (Employer Advisers)**
(Continued)

Mr. Chairperson: Now we are considering Bill 206, and I understand the member from Tuxedo may have—be delivering an opening statement on behalf of the sponsor of the bill, the honourable member for La Verendrye (Mr. Smook)—*[interjection]*.

Member from Tuxedo, do you have an opening statement?

Mrs. Heather Stefanson (Tuxedo): Yes.

Mr. Chairperson: Kindly go ahead.

Mrs. Stefanson: Just briefly, I want to thank the member for La Verendrye for all the work that he has put into this and the extensive consultation process that has taken place over the last number of years since this was first introduced, and I also want to thank the member for Riding Mountain (Mrs. Rowat) for the work that she has done with respect to this bill.

The Workers Compensation Act currently provides for the appointment of worker advisers to assist workers and dependants who have claims for compensation. The government's cost of the Worker Advisor Office is recovered by way of a grant payable out of the accident fund which is funded by employer premiums.

This bill amends the act to provide for the appointment of employer advisers to assist employers in relation to claims for compensation by workers or their dependants. The cost associated with employer advisers are to be paid out of the accident fund.

So I also just on behalf of the member for La Verendrye I want to thank all members of this committee and the Legislature for agreeing to allow this bill to come forward today, and I also want to thank Mr. Sims for taking time out of his schedule to be here and to present to committee tonight.

Thank you, Mr. Chair.

Mr. Chairperson: We thank the member from Tuxedo.

* (18:40)

Does any other member wish to make an opening statement on Bill 206? Seeing none, we will go by clause by clause.

Shall clauses 1 through 4 pass?

Some Honourable Members: Pass.

An Honourable Member: No, no.

Mr. Chairperson: You have a question?

An Honourable Member: Yes, I have a question, and—

Mr. Chairperson: Ms. Howard, go ahead.

Ms. Jennifer Howard (Fort Rouge): I have a question and a comment.

I understand that this bill is at committee and I have no intention to prevent its passage tonight, but I am concerned about the funding of these employer advisers, and specifically concerned that funding for these officers be taken away from funding for the worker adviser offices—officers, that if these are to be additional positions, then there has to be additional dollars attached. It shouldn't be split from the existing worker advisers.

I also am concerned, and I think we would all be concerned, that in no way would government money be going to encourage businesses to engage in the

unlawful act of claim suppression, which has been something the Workers Compensation Board has been working on. There have been multiple examples found of employers—and many, many good employers who are doing good work and know their responsibilities under the act, but a few who actively engage in suppressing claims from injured workers and who also, I think, actively appeal every claim in order to discourage workers from bringing forward those claims. And I certainly would not be in favour, and I don't think anybody would be in favour, of government funds going to further that.

So I just want to put those comments on the record, and my hope is that if this bill passes, that it will be very clear that these employer advisers are there to help navigate for employers but in no way would they be there to frustrate the rightful claims of injured workers.

Mr. Chairperson: We thank the member.

Now we will go clause by clause.

Clauses 1 through 4—pass; clause 5—pass; enacting clause—pass; title—pass. Bill be reported.

Now the hour being 6:43, what is the will of the committee?

Some Honourable Members: Committee rise.

Mr. Chairperson: Committee rise. Thank you very much.

COMMITTEE ROSE AT: 6:43 p.m.

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