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Speaker: Honourable Perry Trimper, MHA

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The House met at 1:30 p.m.

MR. SPEAKER (Trimper): Order, please!

Admit strangers.

I'd like to welcome everyone, including those in the gallery and all our MHAs, back to the spring sitting of the second session of the 48th General Assembly.

I'd also like to welcome back our Pages. Today we have with us Mohammad who is now our most experienced page, and we have, somewhere in the room, Catherine and Jeremy, so I'd like to welcome them back.

Statements by Members

MR. SPEAKER: Today we're going to be hearing Members' statements by the hon. Members for the Districts of Exploits, Torngat Mountains, Stephenville - Port au Port, Placentia West - Bellevue and Terra Nova.

The hon. the Member for Exploits.

SOME HON. MEMBERS: Hear, hear!

MR. DEAN: Thank you, Mr. Speaker.

Mr. Speaker, I rise in this hon. House today to acknowledge Mr. Arthur Snow of Botwood and his 60 years of voluntary service with the Botwood Lions Club, for which he was presented with an award for long-time service, the Milestone Chevron Award, from Lions International in October of 2017.

Art's interest in the Lions Club was initiated at an early age when his family received a gift of kindness from the Botwood Lions Club. In 1952, Art's family home burned to the ground, which was devastating to all 12 people in his family. The Lions Club of Botwood compassionately gave his father \$1,500 towards rebuilding their home. Art joined the Botwood Lions Club some years later and has been an energetic Lion ever since.

At 84 years of age, Art is still very active in the Lions and is currently the only person to have achieved 60 years of service. He takes great pride in knowing he has been involved with

helping so many people in his community, as well as across the globe.

Mr. Speaker, I ask all hon. Members to join with me in congratulating Mr. Art Snow for his 60 years of service to the Botwood Lions Club.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Torngat Mountains.

MR. EDMUNDS: Thank you, Mr. Speaker.

I rise today to recognize Dr. Rawluk, a well-known and respected obstetrician and gynecologist who retired at the end of the 2017 after many years of service to the residents of Labrador.

Dr. Rawluk, who came to Canada from Poland, spent 50 years as a health professional. In 1986, he accepted the position in St. Anthony and, in 1989, he was asked to go to Labrador for one year. He never left. He says he stayed because of the beautiful land and the wonderful people.

It's hard to say how many babies Dr. Rawluk has helped deliver, but it is estimated to be in the thousands, including those from the communities in my District of Torngat Mountains. In fact, Dr. Rawluk delivered my own children and several of my grandchildren.

Dr. Rawluk's patients describe him as compassionate and caring. His colleagues at Labrador-Grenfell Health say he has an incredible work ethic and is a positive role model for younger doctors. While he is retired from full service, he continues to do some clinical work at the Labrador Health Centre.

Mr. Speaker, I ask all Members to join me in thanking Dr. Rawluk for his dedication to the families in Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Stephenville - Port au Port.

MR. FINN: Mr. Speaker, in the Town of Kippens they refer to her as their "golden girl." The rest of the province and the national and

international swimming community know her as Katarina Roxon. The highly accomplished Paralympian has represented Canada in Beijing in 2008, London in 2012 and Rio in 2016. She took home a gold medal from the games in Rio, which followed her dominant performance at the Parapan Am Games where she took home six medals.

In addition to her success in the pool, Katarina is a true role model for young women and athletes across the country. For the past three years, Katarina has served on the Provincial Advisory Council for the Inclusion of Persons with Disabilities and has represented the Canadian Paralympic Committee, the Canadian Olympic Committee and the War Amps of Canada at speaking engagements across the country.

Katarina's latest accolade was being named to the Order of the Newfoundland and Labrador. Mr. Speaker, I recently had the honour of joining Katarina and her family at Government House where, at the age of 24, she became the youngest person to receive this prestigious award.

I ask all Members to join me in congratulating Katarina Roxon on receiving the Order of Newfoundland and Labrador and wish her all the best as she heads to the 2018 Commonwealth Games in April.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Placentia West - Bellevue.

MR. BROWNE: Yes, Mr. Speaker, she's done it again.

From silver in Sochi, to gold and bronze in Pyeongchang, Marystown's own Kaetlyn Osmond has soared to new Olympic heights. Kaetlyn dazzled audiences in Korea, and her Olympic pursuit easily captured the Canadian imagination with her unrivalled class and grace.

In the stadium were her parents, Jeff and Jackie, she received roaring cheers from Canada, from her siblings Natasha and Gary, her grandparents,

and, of course, all of her loyal Marystown fans, including yours truly.

From the early mornings on the ice in Marystown, to her mainland training, to the devastating injuries that nearly derailed her career, nothing has held this young woman back.

Over the weekend the Premier and I had a chance to speak with Kaetlyn by phone. We conveyed to her the overwhelming support for her in Marystown, and across all of the province. We will be working closely with her and her family as we coordinate her return to the province in April.

We will be honouring her in a very big way, and I will keep the House informed.

Mr. Speaker, I ask all hon. Members to join me and the people of Marystown, Newfoundland and Labrador, and Canada, in saying congratulations to our hometown champion, and the latest Olympic gold medalist from Newfoundland and Labrador, Kaetlyn Osmond.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for the District Terra Nova.

MR. HOLLOWAY: It's certainly hard to follow that act, Mr. Speaker.

I rise in this hon. House to acknowledge the outstanding accomplishments of a modern day Florence Nightingale, Major Annette Vardy.

While only in her 20s, Major Vardy joined the Salvation Army; training as a nurse at the Grace Hospital. Throughout her life, Major Vardy has lived on mainland Canada, London, England, and India, where spent 30 years as a medical missionary.

On January 21, in honour of Major Vardy's 100th birthday, the community came together at the Salvation Army Citadel in Clarenville.

During the celebration, Major Vardy's frequent balcony-style commentary was a testament to her comical and witty personality.

Annette was recognized as one of the 150 faces of Clarendville, which honours those who have had measurable impact on the community through their contributions, accomplishments and perseverance.

In addressing the crowd, Major Vardy said, “I don’t know how much longer I have, I don’t care too much, but I say, Lord, just a little bit longer.”

I ask all hon. Members to join me in congratulating Major Annette Vardy on her 100th birthday and our gratitude for a lifetime dedicated to the Salvation Army and the people of India.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Statements by Ministers.

Statements by Ministers

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Before I begin with my statement, I want to wish one of our Pages, Catherine Bennett, happy birthday today. The first day, she said she would never forget the opening of the House of Assembly this year because it was on her birthday.

Mr. Speaker, I rise in this hon. House today to commend the hard work and the dedication of those who responded to the severe storm and flooding on the West Coast last month.

On the morning of Saturday, January 13, residents of the communities in the region woke up to what was unseasonably high temperatures and torrential rain. By the end of the day, seven routes had been closed due to flooding. This included the Trans-Canada Highway at Little Rapids and Route 450 in the Bay of Islands, both of which had sections that were completely washed out.

Rising water levels that cut off roadways forced six communities in the region to declare states of emergency, all the while work was underway to keep people safe to prevent further damage and reconnect communities as quickly as possible.

By that evening, there was a temporary route that had been established at Little Rapids. On Wednesday, Route 450 was reopened and on Friday all four lanes of the Trans-Canada Highway at Little Rapids had reopened.

Mr. Speaker, I commend the outstanding efforts of those who came to the aid of thousands of residents during last month’s storm despite the devastation that it caused. Many individuals and organizations gave their dedication and their expertise when it was needed the most. Due to their quick and effective responses, we were able to repair closed roads and bring aid and service to our communities quickly and safely.

I ask all Newfoundlanders and Labradorians to join me in thanking the many individuals, including our public sector employees, the volunteers, emergency management partners, community organizations, municipalities and contractors for their tremendous contributions during the flooding.

Newfoundlanders and Labradorians are well known for their resilience and quick action to support our neighbours in a time of need. Time and again we rise to the challenge in the face of adversity. It is one of the many reasons why we all proudly call this province our home.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Official Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

Mr. Speaker, I’d like to thank the Premier for an advance copy of his statement today. All of the province watched in shock as images from the West Coast of the Island emerged on January 13. No more was the shock and destruction and impact more felt than within the six communities that were forced to declare states of emergency, as well as others that were impacted by the flooding.

While the circumstances were dire, first responders, public service workers, contractors, municipalities, community groups and countless volunteers pulled together, as we’ve seen happen

in our province so many times in the past, they pull together to assist those in need. Through their co-operation and incredible work, a bigger tragedy was avoided. We know, Mr. Speaker, the impact was significant. The results could have been far greater if not for all those who pitched in to help out.

In closing, we urge the government to expedite any financial assistance programs that may assist residents who are still feeling the effects and we wish all of those on the West Coast all the very best in the future.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Third Party.

MS. MICHAEL: Thank you very much, Mr. Speaker.

I thank the Premier for an advance copy his statement. I'm very happy to join him in commending the efforts of the many individuals and organizations who responded to flooding on the West Coast in January. We know their efforts enabled many communities on the West Coast to quickly regain access to essential public services, which they can only reach through using the Trans-Canada Highway.

With my colleague from the Official Opposition, I again commend the immediate response but say to government, I hope that all the necessary supports will continue to be in place as restoration work continues.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

The hon. the Minister of Natural Resources.

MS. COADY: Thank you, Mr. Speaker.

I rise in this hon. House today to highlight Advance 2030 – a growth plan for the oil and

gas industry in Newfoundland and Labrador which was launched last Monday.

As presented in *The Way Forward*, our government committed to work with industry to position the province globally as a preferred location for oil and gas development. As part of that commitment, the Oil and Gas Industry Development Council was established to advance opportunities and actions. We thank them for all of their work to date.

By 2030, the Advance 2030, the provincial government envisions: more than 100 new exploration wells drilled; multiple basins producing more than 650,000 barrels of oil equivalent per day; shorten time from prospective to production; direct employment of more than 7,500 people in operations; a robust, innovative global supply in service sector; commercial gas production, and renewables in oil and gas integrated in a world-class energy cluster.

More than 150 industry leaders were engaged in the review and development of Advance 2030 including operators, supply and service industry, labour, educators and federal and provincial departments.

Newfoundland and Labrador has tremendous opportunity in offshore oil and gas. By focusing on our competitiveness, driving exploration, ensuring innovation and working together we can achieve the vision we all want of a thriving, growing oil and gas industry.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Opposition House Leader.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I certainly thank the minister for an advance copy of her statement. We, too, on this side of the House certainly agree our province has tremendous potential within the oil and gas sector, and previous efforts in seismic work has enhanced land sales and exploration off our coast as well.

But I do note, in the first two years in office, this Liberal government said that oil is not a policy. They failed to proclaim the generic royalty regime in a timely manner, they created an uncertain economy which has impacted investment in the industry and they still cannot provide answers on the United Nations royalty sharing regime.

Instead of advocating for our offshore oil and gas industry, this Liberal government is accepting a new federal environmental assessment process that may slow exploration and production in our offshore, and certainly raise further uncertainty.

Since 1985, the Atlantic Accord has stated that our province should be the principal beneficiary of our offshore oil and gas, and we must always ensure that we protect our shared jurisdiction for the authority that we now have.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Third Party.

MS. MICHAEL: Thank you very much, Mr. Speaker.

I thank the minister for the advance copy of her statement. And I'm glad to see that the government has brought people together to envision a future oil and gas industry, but I ask: When are we going to get figures based on facts on how these visions will be achieved?

Mr. Speaker, I say to the minister, if I wanted visions, I'd go to a desert and get a hermit to tell me what she sees.

Thank you.

MR. SPEAKER: Further statements by ministers?

The hon. the Minister of Service NL and Minister Responsible for WorkplaceNL.

MS. GAMBIN-WALSH: Mr. Speaker, workplace injuries have long-lasting physical and emotional impacts on many individuals and

families throughout Newfoundland and Labrador. While the lost-time injury rate at 1.5 per 100 workers is the lowest it has ever been, we know that, in an instant, a person's life can change forever because of a workplace accident.

Our government is continuing to take important steps toward improving the lives of injured workers in the province. Mr. Speaker, today I will introduce amendments to the *Workplace Health, Safety and Compensation Act*, which will increase the income replacement rate for injured workers in Newfoundland and Labrador, or their dependants, from 80 to 85 per cent.

SOME HON. MEMBERS: Hear, hear!

MS. GAMBIN-WALSH: The income replacement rate is the percentage of a worker's pre-injury net income that is covered by the workers' compensation system. Wage-loss benefits will be calculated at 85 per cent of an individual's net, after tax, earnings. The individual's gross income is capped at the Maximum Compensable Assessable Earnings which is \$64,375 for 2018.

The increased rate will help improve benefits to injured workers and dependant spouses without increasing the average assessment rate charged to employers. With these amendments, our province will achieve parity with the other Atlantic provinces in calculating wage-loss benefits.

Mr. Speaker, these changes are another step along our path to help reduce the financial, emotional and physical impacts workplace incidents are having on injured workers, their families and their communities.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Thank you very much, Mr. Speaker.

I want to thank the minister for the advance copy of her statement. We support the recent announcement regarding the increase in the

income replacement rate for injured workers. We're also pleased that the cost of this initiative will not be a burden to employers and the rates will become more in line with other provinces in Atlantic Canada.

Mr. Speaker, I know individuals who have been injured on the job and I've seen the difficulty they had with life after their injuries. Any initiative that can improve the quality of life for injured workers and relieve some of the stress and strain on these individuals and their families is a good thing. I look forward to debating these amendments in the coming days.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Third Party.

MS. MICHAEL: Thank you very much, Mr. Speaker.

I, too, thank the minister for the advance copy of her statement. I'm very pleased that finally we have the 85 per cent income replacement four years after the statutory review recommended it. We will no longer have the lowest workers compensation rate in the country, and that's really good news. Though the maximum income used to calculate this benefit is ninth lowest in the country, this cap should be removed or at least raised when the statutory review takes place in 2018.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further statements by ministers?

Oral Questions.

Oral Questions

MR. SPEAKER: The hon. the Leader of the Official Opposition.

MR. P. DAVIS: Good afternoon, Mr. Speaker, and thank you very much.

Mr. Speaker, this past Friday when discussing our government's harassment-free workplace policy, the Premier stated silence is never the answer.

I ask the Premier if he is aware and can he confirm that an alleged sexual assault was reported at the Muskrat Falls site in November of 2017 and, as a result of that complaint, an on-site worker has been charged.

MR. SPEAKER: The hon. the Minister of Finance and President of Treasury Board.

MR. OSBORNE: Thank you, Mr. Speaker.

I can say to the Member opposite – I mean, that is very concerning. It's the first that I've heard of it, to be honest with you, but certainly we will look into that issue. Harassment in the workplace cannot and will not be tolerated.

Our government has put in place a policy, just last week, after several months of work and jurisdictional scans and consultation with the Women's Policy Office and Justice and Public Safety, to ensure that people can feel free to work in their workplaces safely and being respected as they do so.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Official Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

I thank the minister for his answer. My understanding is the Minister of Natural Resources may be aware of this.

I ask the Premier, or the minister, if either can confirm if the worker is or is not still working at the Muskrat Falls Project site?

MR. SPEAKER: The Minister of Natural Resources.

MS. COADY: Thank you, Mr. Speaker.

Thank you for the question. Harassment, abuse and violence are never acceptable in any form, any place, any time. And this government certainly is doing everything it can to ensure the

safety of our people in this province and working with our community partners.

With regard to the question that has been put before this House, I can say that I have been made aware that there has been a complaint within a subcontractor – not the Nalcor but within a contractor's company that works for Nalcor – and that there is an investigation ongoing. I believe it's before the courts, actually, as well.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Official Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

Yes, the matter is before the courts. The individual has been charged and the court records from Happy Valley court confirm that. Mr. Speaker, my question was asking if the individual is still working on the site or not. I'm aware that the individual who reported the sexual assault has been terminated by her employer.

I ask the minister: When did she first become aware of this matter?

MR. SPEAKER: The Minister of Natural Resources.

MS. COADY: Thank you, Mr. Speaker.

A couple of weeks ago I had a phone call to my office. I have since returned that phone call. I've been speaking with the family members of the person involved; I've reached out to Nalcor to see what the situation is from Nalcor's perspective. It is with a subcontractor to Nalcor. I've reached out to Nalcor to get further details of what's occurring from Nalcor's perspective, Mr. Speaker.

I do know it's before the courts. As I said, never is it acceptable for harassment, abuse to happen in the workplace, at home, anywhere, in any location or at any time.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Leader of the Official Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

I've been advised that the minister was made aware of this as much as four weeks ago that this matter had taken place; a person had been charged under the *Criminal Code* and has appeared in court.

I'm asking the minister: I understand she spoke to family members today, why would it take four weeks to respond to a family in a matter so important as this?

MR. SPEAKER: The Minister of Natural Resources.

MS. COADY: Thank you, Mr. Speaker.

The phone call that I understand came into my office came in on February 13. That was the note I received, Mr. Speaker. I did return the phone call today. I have been unavailable for the last week.

It is an issue that is ongoing. There has been a discussion with the subcontractor. I understand a full investigation has been ongoing with the subcontractor. I've reached out to Nalcor because the contractor, of course, works on behalf of Nalcor. I've reached out to Nalcor to get further details and to see where they are with this process, Mr. Speaker. I do know it is before the courts.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Official Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

On Friday, during the announcement – and I agree with the minister and the Premier, it's a very serious matter – the minister herself said: Violence and harassment are not acceptable in any form, at any place or any time.

I ask the minister, if she's actually contacted the CEO of Nalcor about this matter. If so, does she

have any indication yet what Nalcor intends on doing with this?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: Mr. Speaker, as soon as I had the opportunity to speak with family members, I did reach out to Nalcor. I've spoken with a senior vice-president on the matter who is responsible for corporate affairs. They are investigating this matter and have gotten back to me to say that they would like to speak with me later today. I'll find out more details as to what has occurred on behalf of Nalcor. Again, I'll reiterate, this is under investigation and before the courts.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Official Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

I appreciate that it is before the courts. I'm not asking any questions regarding the specifics of what's taken place. I'm more interested to know in response of Nalcor and government after this allegation and this alleged event has taken place.

Mr. Speaker, I'd like to ask the minister if she can confirm if other workers at the Muskrat Falls site have been informed of this assault allegation and the charges or charge that has been laid.

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: Thank you very much, Mr. Speaker.

He is absolutely right; we take this matter very, very seriously. That's why, as soon as I had a chance and opportunity to speak with the family, I did do so and I have reached out to Nalcor.

Mr. Speaker, several people were involved in the investigation I understand, and that the person involved in this did reach out within the organization and within the subcontractor.

Mr. Speaker, I would anticipate and expect that Nalcor is fully on top of this. The harassment policy that was released on Friday, as the minister responsible, the Minister of Finance indicated that this would be something that we would look toward all of the entities: the agencies, boards and commissions of the government to actually put into place as well.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Official Opposition.

MR. P. DAVIS: Thank you, Mr. Speaker.

Minister, do you have any insight – and if you can, maybe you can share with us – of what Nalcor's policies are, generally speaking, concerning harassment, workplace harassment or sexual assault as alleged in this particular case? What is the policy around how you handle employees on the work site when it comes to these types of allegations?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: Thank you, Mr. Speaker.

Of course, Nalcor has a harassment policy and is always on top of this matter. This incident – that I understand has occurred back in the fall – was with a subcontractor who has taken the matter seriously. I understand they have done a full investigation, Mr. Speaker.

It is a terrifically difficult situation at any time when harassment, or abuse, or violence is involved and should not be tolerated. It is not acceptable. It is not acceptable in our society, and I appreciate the Member opposite bringing this matter to the attention of the people of the province because I think informing everyone how unacceptable this is, is very, very important so that society as a whole can address the issue of harassment and violence.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, on March 29, 2017, a near miss with an iceberg on the FPSO SeaRose could have been a major disaster; 84 crew were onboard when an iceberg came within 180 metres of the SeaRose.

I ask the minister: When did you become aware that the crew was told over loudspeakers to brace for impact?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: Thank you, Mr. Speaker.

Canada-Newfoundland and Labrador Offshore Petroleum Board is taking this matter very seriously. Safety and security of offshore personnel is our number one priority of the province, of C-NLOPB, and, indeed, all of the people of our province, operators included.

Mr. Speaker, the incident occurred, as the Member opposite said, on March 29. On March 30, C-NLOPB called the operator in question in for a conversation discussion. I'm sure it was a difficult one. They then moved forward with putting in a notice of non-compliance and an order to comply with the ice management system. The chief safety officer was heavily involved. I became aware on that time, as did the public, Mr. Speaker, because there was public notification on March 30.

Thank you.

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, the C-NLOPB receives daily updates from operators on tracking of icebergs.

I ask the minister: When did you find out that an iceberg had entered an alert zone one that the ice management plan had breached, which is the most serious alert in the ice management plan criteria?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: Mr. Speaker, my department is in discussions and constant engagement with C-NLOPB with regard to these alerts. Of course, the C-NLOPB makes these alerts public. So they would be aware on a timely basis, Mr. Speaker.

With regard to the non-compliance with the ice management plan, we were aware on March 30. The event occurred on March 29. We were aware on March 30, as were the public. It's incumbent upon C-NLOPB to ensure the public are engaged.

Mr. Speaker, I will say the chief safety officer is tasked and charged with the very important responsibility of ensuring safety and they took this matter very seriously. That's why they issued the order of non-compliance and the order to comply immediately thereafter.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

The minister indicated there was notification given of the incident. I'm not so sure on that.

On March 30, when the C-NLOPB had reported in some of its documentation about the miss, why wasn't that disclosed that the crew was told to brace for impact in the actual details of what had happened? Why was this critical information withheld from the public at that point in time?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: Mr. Speaker, I don't want to speak on behalf of C-NLOPB in the House, but I will say there was an incident bulletin released on March 30. They did follow the practice and exercise of doing so. The incident was reported publicly from there. The chief safety officer issued the notice of non-compliance, and from there, Mr. Speaker, an investigation took place.

Once the chief safety officer was comfortable enough that the safety breach was under control,

that people were no longer in a safety concern situation, they started the investigation. The first phase of that investigation is the operator themselves do an investigation and comes back to C-NLOPB with their results. From there C-NLOPB, not being satisfied, started their own investigation, Mr. Speaker. During that investigation they found out the details.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, it is the offshore installation manager's decision to take emergency measures to shut down the installation due to safety reasons. It has been reported that the offshore manager did ask the SeaRose to disconnect but was overruled by onshore officials.

I ask the minister: Can you confirm whether this is accurate?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: Mr. Speaker, C-NLOPB did their investigation. They do have a preliminary report. That's why the issue to suspend operations in late January was made.

Senior executives from Husky Canada came to town. There have been multiple personnel changes at the operator because of this serious situation. They had to reassure and show and produce a plan that really did meet with the expectations of C-NLOPB. They had to meet to satisfy the C-NLOPB. That's why they lifted the suspend operations.

This is an ongoing investigation. C-NLOPB is continuing to monitor to ensure that the safety and compliance of the ice management plan is there.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The Member for Ferryland.

MR. HUTCHINGS: Mr. Speaker, the minister indicated that a preliminary report, I guess, she has seen or was made available.

I ask her again: Can she confirm that the offshore installation manager on board that facility did indicate a shutdown but that was decision was overruled at another point in time by officials? Can she confirm or deny whether that's accurate?

MR. SPEAKER: The Minister of Natural Resources.

MS. COADY: Thank you, Mr. Speaker.

The preliminary report is with C-NLOPB. They are tasked and have the responsibility under the accord acts, especially under the chief safety officer who has that autonomy and responsibility, Mr. Speaker.

I have spoken with both C-NLOPB as well as the operator responsible and I have been assured and repeatedly assured that they are managing this very serious situation. The C-NLOPB feels they have the matter under control. They are working through; they're finalizing their investigation, Mr. Speaker, and working with the operator in question to ensure this never happens again.

I think, Mr. Speaker, it's very important to note that this was the responsibility of C-NLOPB and they acted within their authority.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'll also make the minister aware that there's authority rested in the provincial Minister of Natural Resources, whether it's the federal one, and there's availability to issue minister directives as well under the legislation.

ATIPPA information indicated that the chair of the C-NLOPB board said that the non-shutdown was economically driven. Minister, is this your understanding?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: Thank you, Mr. Speaker.

Under ATIPPA there was an email exchange between officials who reported on a conversation that they had. I can't comment. I was not privy to those emails nor was I privy to the conversation. But I will say there is no reason why the ice management plan should not be followed.

That is what C-NLOPB has found in their report and that is why they issued the suspend operations to show to the operator responsible, and indeed to all operators, how critical this is to follow the plans and the actions that are required under that plan. Mr. Speaker, when an operator fails to do so, there are responsibilities.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: I do agree with the minister, this should never have happened because the ice management plan briefing I had from the C-NLOPB was quite clear. The plan is laid out on what the requirements are in Zones 3, 2 and 1 and what actions need to be taken.

Mr. Speaker, I'll ask the minister: When will the results of the C-NLOPB investigation be made available and made public?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: As I understand it, Mr. Speaker, the investigation is ongoing. I will speak with C-NLOPB to determine when they feel they may be able to be in a position to finalize the report. It is an ongoing issue, because of course they're continuing to meet with Husky to ensure their compliance, to ensure that everything that has been done is being done.

Mr. Speaker, I will say this, that economics never trumps safety. Everything must be done to ensure the safety of our workers offshore, and that is exactly what the C-NLOPB is doing.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland.

SOME HON. MEMBERS: Hear, hear!

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'll ask the minister: Why did it take from March 29, almost 10 months later, for action to be taken?

And based on that I ask you, Minister: Did you have confidence during that time for that 10-month period that offshore workers would be definitively protected under the ice management plan of all operators off our coast?

MR. SPEAKER: The hon. the Minister of Natural Resources.

MS. COADY: Thank you, Mr. Speaker.

Immediately after this incident occurred – again, March 29 – March 30 C-NLOPB did take action. They called the operator in question in to see them right away to denote the seriousness of this. They issued the order of non-compliance; they issued the order to comply. The chief safety officer made a determination that he was actually confident enough to allow operations to continue while there was an investigation.

It was important, Mr. Speaker, that people understand that the initial response by the C-NLOPB was to issue the order to comply. Immediately, they said they must comply. Then following that, at the end of the investigation or when they had the preliminary report is when they suspended operations to ensure they had Husky –

MR. SPEAKER: Order, please!

The time has expired.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Thank you very much, Mr. Speaker.

Last week the federal government took 25 per cent of the Arctic surf clam quota being processed in Grand Bank and gave it to a company in Nova Scotia to harvest, process and market.

Minister, I understand you finally got a chance to speak to the minister on Friday night. Did he explain why he's eliminating the hundreds of full-time, year-round, middle-class jobs on the Burin Peninsula?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, I will want to say that this RFP goes back as far as September of last year. There's been a considerable amount of dialogue and work that has gone on, on behalf of this government. We've had our MHAs from that area that have been writing letters, have facilitated meetings with local leaders in Grand Bank. We've also met with all our MPs. We met just recently with Seamus O'Regan, the minister, of course, our regional minister right now.

Just this morning, the minister and I had a long conversation with indigenous leaders, all five groups in our province. This raises concerns and questions for us around the decision making in all of this, Mr. Speaker. And we've agreed now on behalf of our indigenous leaders, and indeed people all across our province, that we will be reaching out to the minister requesting a meeting for clarification around this process that has been currently put in place last week.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Thank you very much, Mr. Speaker.

I remind the Premier, that this started in September. It's a little bit late now to be going to have your conversations.

SOME HON. MEMBERS: Hear, hear!

MR. K. PARSONS: When I asked you in December about the decision to relocate the surf clam quota, shared arrangements is an important component of fisheries policy, that's what the minister stated.

Do you think it's right now that the federal government and the federal minister to share Grand Banks surf clam quota?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

I want to clarify what I just said. I said this process started in September. Within days there were meetings that were facilitated with MHAs in that region, with the local leaders in Grand Bank, with the Minister of DFO. We did not wait for this decision last week. As a matter of fact, we'd even question if this is a final decision today, I would say to the Members opposite.

We've had our federal minister involved. Mr. Speaker, we are actively engaged in this file. So for the Member opposite to suggest otherwise, it is simply not true. We have not forgotten about the fishery, unlike the previous administration who could not close any deal –

SOME HON. MEMBERS: Hear, hear!

PREMIER BALL: – who could not close any deal with their federal colleagues.

We are concerned about this. We are concerned about it from many fronts. The issue around Grand Bank of employment, no, we do not agree with that. We're concerned about it around reconciliation with indigenous groups in our province. That has not been appropriately done yet, I will say, too, Mr. Speaker.

So the Member opposite, his opening comment was a little ingenuous for the people of our province.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Thank you, Mr. Speaker.

Unless I'm mistaken, I think the minister made an announcement on this last week; indeed he did.

You have boasted in the House about a commitment to collaborate with the federal government on fishery policy.

Did the federal minister consult with you before deciding on relocating the surf clams quota?

MR. SPEAKER: The hon. the Minister of Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, we've had many successes in dealing with the federal government including the Atlantic Fisheries Fund, looking at the ground fishery, rebuilding it, and, yes, we have had our issues as well with the federal government.

I actually attended many meetings with the federal minister. Not only have I written him, not only have I called him, but I've met him face to face and I have relayed our government's concerns surrounding the process of reallocating surf clams, looking for a framework for definition, greater definition as to how this process can begin.

One of the things, Mr. Speaker, that we did acknowledge, and we both agree on, is that indigenous communities and nations in Newfoundland and Labrador need to be respected, that there must be reconciliation. We do, indeed, also need to look at and consider the framework around existing incumbents within the industry. That process is still ongoing.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Mr. Speaker, we've heard you say about how you lobbied to the minister, wrote letters, phone conversations, direct meetings, yet you still came up with no surf clam quota result. Your cozy relationship with the federal government has failed.

How has this been so ineffective?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Minister of Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, for 15 years that government – that former government – had absolutely no relationship with the federal government whatsoever. They not only agreed not to agree on many things, but they just had no conversation whatsoever.

Yes, Mr. Speaker, we have accomplished much together. There's more to accomplish. Yes, there will be times, serious times, when we will disagree with the federal government. This is one of those times that we feel a stronger process, a better process, could have been initiated.

We agree with the federal government on indigenous reconciliation. We agree with the federal government that there must be respect. Mr. Speaker, that government – that former government – did none of the above.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Mr. Speaker, as they always like to do with the former government, but this has absolutely nothing to do with the former government. It has to do with your ineffectiveness to do what you can for the people on the Burin Peninsula and the people of Grand Bank.

SOME HON. MEMBERS: Hear, hear!

MR. K. PARSONS: That's what this has to do with. There are 140 and 150 good full-time jobs in Grand Bank and there are three vessels who crew 60 to 65 people working in the surf clam industry.

What is your plan to minimize the impact of this decision on the people in Grand Bank and the people on the Burin Peninsula?

MR. SPEAKER: The hon. the Minister of Fisheries and Land Resources.

MR. BYRNE: Mr. Speaker, I'm sure the hon. Member will want to get on his feet next to explain exactly what happened in Marystown, explain exactly what happened on several other communities around Newfoundland and Labrador, when the actual decision making was exclusively within his own jurisdiction and his own decision-making capacity as a former government.

But I will say this: What this government is doing, we have already pulled together a meeting request for the federal minister gathered with indigenous. We have already outreached directly with the Town of Grand Bank, with Clearwater, with others. We are looking for a solution that meets in the best interests of Newfoundland and Labrador. We continue, Mr. Speaker, to lobby and advocate for adjacency to be a prime consideration within all fisheries allocation decisions.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Third Party.

MS. MICHAEL: Thank you very much, Mr. Speaker.

The Premier told the Noia annual general meeting he would like to see oil production doubled in the next 12 years – a risky plan and one over which he has little or no control.

I ask the Premier: What is his plan B for realistically lifting this province out of its economic quagmire?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

We've made significant progress in the last couple of years and it's not always attached to oil, I say to the Members opposite. I will also want to remind the Member opposite about the work that's been done with a number of sectors. Just on Friday of this week, we announced a technology sector at a summit when there were so many young people – as a matter of fact,

maybe we should have even invited you, or you were probably watching. We did invite you to watch on FaceTime Live. I'm sure you did that. So that was publicly communicated, Mr. Speaker.

We had many young people there that were under the age of 30 years old. We have seen unprecedented increase in the agriculture industry in our province. We're seeing some progress in the aquaculture industry. Growing the oil industry because we have significant reserves out there – untapped reserves, Mr. Speaker, I would say to the Member opposite. So it's our job, working with the department and working with the officials, to make sure we uptap that potential.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Third Party.

MS. MICHAEL: Thank you very much, Mr. Speaker.

I now look forward to invitations to things that I think the Opposition should be invited to.

The Premier recently wrote the prime minister asking for an early start to the Atlantic Accord review, scheduled for completion by the end of March 2019. It seems the only revenue generator the Premier anticipates for the province is increased oil production without a long-term fiscal plan.

So I ask the Premier: Why does he think the prime minister will just pass over more money to this province without seeing a solid fiscal plan for future economic stability?

MR. SPEAKER: The hon. the Premier.

PREMIER BALL: Thank you, Mr. Speaker.

Well, I want to remind the Member opposite when you talk about invitations we put out the most important invitation to both parties just prior to the closing. We actually invited them to come in this House of Assembly and speak on the budget and she refused to show up;

deliberately refused to show up. And here she is her first day back, the Member opposite, the first day back wondering about what our plan is.

Mr. Speaker, we are engaged with every sector to bring benefits to create jobs for Newfoundlanders and Labradorians. That is what we are working with. It's about partnership; it's about working together.

If the Member opposite refuses to work together and refuses to show up at a public consultation on the budget, why would I expect her to show up to anything that we would put out with any sector, Mr. Speaker?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's Centre.

MS. ROGERS: Mr. Speaker, last week government released their Procurement Act, proudly proclaiming it modernized. Unlike many other leading jurisdictions, however, there was no mention in the act or regulations of either a social benefits clause or diversity and gender clauses – things that would help award contracts to social enterprises and other targeted groups.

Government promised to embed them, at least in the regulations. Procurement purchases are around \$4 billion a year. This is a significant missed opportunity.

I ask the minister: What happened? Why hasn't she incorporated these values into at least the regulations to benefit the people of the province?

MR. SPEAKER: The hon. the Minister of Service NL.

MS. GAMBIN-WALSH: Mr. Speaker, the new act was developed based on extensive consultations. We gained insight into what the public wanted and into what investors wanted, Mr. Speaker. We will allow opportunity for such as we develop the policies with the Advisory Council.

This new act is equitable, Mr. Speaker. It is transparent. It is open and it gives everybody an opportunity.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's Centre.

MS. ROGERS: Mr. Speaker, it continues to be state of the ark instead of state of the art. Government is giving a lot of lip service to social enterprise, even unanimously passing a private Member's motion to support it.

I ask the minister: Will she grab this opportunity to maximize the power of progressive procurement for the benefit of our people and recall the act and truly modernize it as has been done in Scotland, Wales and other provinces in Canada? Let's really modernize this act, Mr. Speaker.

MR. SPEAKER: The hon. the Minister Responsible for Government Purchasing Agency.

MS. GAMBIN-WALSH: Mr. Speaker, this act provides value for money and it gives everyone an equal opportunity. It is open and it is transparent.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for St. John's Centre.

MS. ROGERS: Mr. Speaker, I ask the minister yet again: Will she meet with local social enterprise experts to review and amend the Procurement Act in order to maximize the benefits for the people of the province? They've made a commitment to social enterprise. It doesn't appear anywhere in their act.

MR. SPEAKER: The hon. the Minister Responsible for Government Purchasing Agency for a quick response, please.

MS. GAMBIN-WALSH: Mr. Speaker, we have met and consulted with the organizations. In fact, this act does give opportunity to everyone to be able to be – it's open. It's transparent. It's value for money, Mr. Speaker. It's a new Procurement Act.

MR. SPEAKER: The time for Oral Questions has ended.

Presenting Reports by Standing and Select Committees.

Presenting Reports by Standing and Select Committees

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Yes, thank you, Mr. Speaker.

I have here a report of the Standing Orders Committee dated February 26, 2018.

Thank you.

MR. SPEAKER: Thank you.

Further reports by standing and select committees?

The hon. the Minister of Finance and President of Treasury Board.

MR. OSBORNE: Thank you, Mr. Speaker.

Pursuant to section 26(5)(a) of the *Financial Administration Act* I am tabling five orders-in-council relating to funding pre-commitments for the fiscal years 2018-19 to 2023-24.

MR. SPEAKER: Thank you.

Further reports by standing and select committees?

Tabling of Documents.

Notices of Motion.

Notices of Motion

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

I move the following private Member's motion, seconded by my colleague for Conception Bay East - Bell Island:

BE IT RESOLVED that this hon. House calls upon the Government of Canada to fully and

fairly credit to our province all green initiatives such as Muskrat Falls, Upper Churchill and Bay d'Espoir hydro developments in relieving Newfoundland and Labrador of any obligation to pay carbon tax.

MR. SPEAKER: Further notices of motion?

The hon. the Member for Ferryland.

MR. HUTCHINGS: Mr. Speaker, in accordance with our Standing Orders, the private Member's resolution just read into the record by the Member for Conception Bay South will be the one that we'll entertain on Wednesday.

MR. SPEAKER: The hon. the Minister of Health and Community Services.

MR. HAGGIE: Thank you very much, Mr. Speaker.

I give notice that I will ask leave to introduce a bill entitled, An Act Respecting The Newfoundland And Labrador Centre For Health Information, Bill 32.

MR. SPEAKER: Further notices of motion?

The hon. the Minister of Advanced Education, Skills and Labour.

MR. HAWKINS: I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Labour Standards Act – believe it or not – Bill 29.

MR. SPEAKER: Further notices of motion?

The hon. the Minister Responsible for WorkplaceNL.

MS. GAMBIN-WALSH: Mr. Speaker, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Workplace Health, Safety And Compensation Act, Bill 30.

MR. SPEAKER: Further notices of motion?

The hon. the Government House Leader.

MR. A. PARSONS: Thank you, Mr. Speaker.

I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Order Of Newfoundland And Labrador Act, Bill 31.

Secondly, I give notice that I will ask leave to introduce a bill entitled, An Act To Amend The Access To Information And Protection Of Privacy Act, 2015, Bill 33.

And finally, I give notice that I will on tomorrow move the following motion, that the following Standing Orders are amended to come into force on the date of their approval.

Number 1, Standing Order 24(3)(b) is amended by adding immediately after Standing Order 24(3)(b)(iii) the following: government orders.

Number 2, Standing Order 25 is amended by adding immediately after Standing Order 25(2) the following: (3) a Member may make a statement about any subject of interest or concern to him or her; (4) the subject matter of a Member's statement may be an anniversary, historic event, some particular accomplishment, the death of a notable person, matters of local, provincial, national or international significance of a non-contentious nature; (5) statements by a Member shall not be used to comment on aspects of provincial governmental policy or to reflect on the decision or direction of the House; (6) statements shall not pose a question but rather express the opinion of the Member; (7) statements are not debatable, do not lead to the introduction of a motion and are not responded to by any other Member.

Mr. Speaker, I further give notice that I will on tomorrow move the following provisional change, that the following Standing Order be amended on a provisional basis for the spring sitting of the House.

Number 3, Standing Order 92 is amended by renumbering it as Standing Order 92(1) and by adding immediately after that the following: (2) a minister in his or her discretion may reply to a petition, and the minister shall occupy no more than 90 seconds in so doing; (3) a minister's response under Standing Order 92(2) may be given on the day the petition is presented or the next sitting day only; and (4) where in a session multiple petitions of the same subject matter are presented a minister may respond to each

petition in the manner contemplated under Standing 92(3), but only one response to a petition with the same subject matter may be made on each sitting day."

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you.

Further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

Mr. Speaker, a petition of the undersigned residents of Newfoundland and Labrador humbly sheweth:

WHEREAS Route 60 is the main highway that runs through the Town of Conception Bay South and is a vital artery in the provincial road network; and

WHEREAS Route 60 is the most heavily travelled road in the province; and

WHEREAS Route 60 has been deteriorating and requires major upgrades;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to allocate funds to upgrade Route 60.

And as in duty bound, your petitioners will ever pray.

Mr. Speaker, this is an issue for me. Route 60 in my district is one of the biggest issues I deal with on a daily basis with concerns from residents. As I've stated publicly many times this road, I think, is around the fifth busiest road in the province. It's not just a community road; this is a very, very busy road, in excess of 20,000 vehicles per day.

It's come upon me – day after day after day people are crying out about this road, numerous potholes. There are a lot of safety issues. On any given night you're getting email after email of broken tires, broken rims, what have you. People in this area – it's the second largest municipality in the province and it's the fifth busiest road in the province – are coming to me as their representative. Why is this road in the condition it's in? Why can't we get funds allocated to fix it?

In fairness to the minister, I've spoken to the minister on numerous occasions on this and the previous minister as well. I had some repair work done last year but it was only a small portion. Mr. Speaker, there needs to be more attention paid to this road because of the simple fact it is a very, very busy road. The road is deteriorating and the people deserve better.

One other point, Mr. Speaker, while I'm speaking on this, I've asked the minister and his officials – I want to know where Route 60 scored on the five-year roads list. It's always out there and is scored, I'm asking a simple question. Not for every list, just to my own district. Tell me where it falls on the list. Is it number 10, 20, 50? Give me a number. I want to know where that fell on the list so I can tell the people who are coming to me every day and asking me why isn't it done. I can say at least it's number 30 or it's number 20.

No response. It's falling on deaf ears. I've asked over and over again to the previous, now I'm asking the current minister and his officials. I don't think my question is unreasonable, Mr. Speaker. Any Member of this House should be able to get an answer to that question. It's an issue of importance to me and the residents of my district. They deserve an answer from the minister and this government.

Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further petitions?

The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

Mr. Speaker, I'm pleased to rise today to present a petition on behalf of (inaudible) district and residents related to the Witless Bay Line, Route 13, a significant piece of transportation infrastructure. It's a main highway and plays a major role in the commercial and residential growth of our region.

Therefore we petition the hon. House of Assembly as follows:

We, the undersigned, urge the Government of Newfoundland and Labrador to upgrade and perform immediate maintenance to this significant piece of infrastructure to ensure safety of drivers and improve the flow of traffic to and from the Trans-Canada Highway.

Mr. Speaker, I've certainly spoken to this before here in the House in regard to immediate maintenance and care that's required for this significant piece of infrastructure that sees a lot of traffic on a day-to-day basis. Over the past number of years we've been able to do various parts of upgrades to that highway, but it's a significant piece of roads infrastructure with costs. We certainly understand you do it over a period of time. Unfortunately, over the past two years there has been very little work done with that piece of infrastructure.

The immediate concern right now with people I've heard from: calls, emails, people who I run into in the area, talk about the condition of it, certainly in the nighttime with potholes and as well with requirement for brush cutting and some of the sightlines and those sorts of things.

I have emailed the Minister of Transportation and I do acknowledge that he's gotten back and said for the immediate time they're looking at doing some immediate work. Again, as my colleague has said behind me, we certainly look at where this highway is rated in the roads program that the government on the other side always talk about. If your road is not listed in it, you can't find out where it's rated so you don't know comparably where it is with any other road in the province.

This highway, we'd certainly like to see – the people in the district and from the area – where it's rated when you look at things like safety, like use, like those other variables that

supposedly they use in their analysis of where it is on the list and when those people who use that highway, significant for Route 10 and the Southern highway, linking it to the Trans-Canada Highway, so people have the care and safety they require when they're travelling the highways.

I certainly call on government to move on this, to move on the immediate repairs and move on long-term infrastructure under the roads program.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

If I just may ask of the Members' indulgence, apologies for the audio system. There's a certain plane on its way to Mississippi that I think I want to turn around and maybe have come back, but what I would ask you to do, until we get the situation fixed, I'd just ask you to speak a little louder and clearer, please. Hopefully, Hansard will be able to pick you up.

Thank you.

Further petitions?

The hon. the Member for Conception Bay East - Bell Island.

MR. BRAZIL: Thank you, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents humbly sheweth:

WHEREAS the Bell Island ferry provides a vital transportation link; and

WHEREAS the Bell Island ferry is only eight minutes from port at any given time; and

WHEREAS government's recently implemented policy related to mandatory exiting of vehicles will put people at a higher risk of injury than the possibility of having to evacuate the vessel due to an emergency; and

WHEREAS Transport Canada regulations do not require individuals to exit their vehicles during this commute;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to conduct a full and thorough risk assessment to clearly identify all risks and liabilities associated with such a policy decision, after which public release any and all results and details for review.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, back in October when we opened, I brought this to the House of Assembly because it's a policy that was implemented without any consultation with the general public and without a thorough risk assessment to the impact it would have on the travelling public.

What's missed here, while we all advocate for safety, particularly on vessels, and we've heard horror stories around the world of vessels sinking and people not being able to be evacuated properly, and we understand the risk associated with that, but you have to also take into account the risk associated with particular vessels and where they travel and those who are travelling.

In this case, because at any given time we're eight minutes from port, after over 1 million trips we've never had to evacuate the vessel itself. We have an aging population with people who have to travel from Bell Island to the St. John's area for medical procedures, who are doing dialysis on a daily basis. We have people who have Parkinson's who are coming for various treatment. We're having people who are having day surgery. We're having people who are having all kinds of other interventions health-wise. As a result, for them to have to evacuate their vehicles, puts them at a much higher risk. We've had that from the health professionals telling us this.

When people have to leave their vehicles, when they're either under sedation or they have a particular alignment, and we've had people with their legs broken and who have just had surgery. Because it's encompassing, when we have minimal access to ambulances, to have them

travel at a case to bring somebody back to Bell Island when there could be an emergency happen at that given time and not having an ambulance available. We have some issues there because things have changed in the last couple of years about the ambulance service, the availability and the amount of funding put forward to that.

What we're doing, we're talking about people's quality of life. We have people in their 80s and 90s who have to get out with an oxygen tank to go up, yet we know there are attendants with them, they know the setup of the ferries and they know because of the size of the ferries and they know the ability to evacuate, which could take anywhere from 20 minutes to half an hour, that they're in much less risk of having to be a safety issue by them staying in their vehicles, having their attendants there, and dealing with their medical issue at the time.

It's about quality of life, it's about their dignity, but it's also about their actual health and well-being. This hasn't been taken into account. We asked the government to do a risk assessment. I understand it's being delayed and it's out there, the tenders haven't even closed and what the process would be. I'm also worried that it's being carved to get the answers that the government wants versus what's really needed and would really evaluate what's there.

So, Mr. Speaker, I'll get to speak to this again, but I do urge government to move immediately on this.

Thank you, Mr. Speaker.

MR. SPEAKER: Further petitions?

The hon. the Member for St. John's Centre.

MS. ROGERS: Thank you, Mr. Speaker.

To the hon. House of Assembly of the Province of Newfoundland and Labrador in Parliament assembled, the petition of the undersigned residents humbly sheweth:

WHEREAS Newfoundland and Labrador has one of the lowest minimum wages in Canada and minimum-wage workers can earn poverty incomes; and

WHEREAS proposals to index the minimum wage to inflation will not address poverty if the wage is too low to start with; and

WHEREAS women and youth and service sector employees are particularly hurt by the low minimum wage; and

WHEREAS the minimum wage only rose 5 per cent between 2010 and 2016, while many food items rose more than 20 per cent; and

WHEREAS other Canadian jurisdictions are implementing or considering a \$15 minimum wage as a step towards a living wage;

WHEREUPON the undersigned, your petitioners, humbly pray and call upon the House of Assembly to urge government to legislate a gradual increase in the minimum wage to \$15 by 2021, with an annual adjustment thereafter to reflect provincial inflation.

And, as in duty bound, your petitioners will ever pray.

Mr. Speaker, we see a movement afoot across the globe, really, looking at the whole issue of living wage and minimum wage. We have not only governments speaking to it, but we also have many Opposition parties speaking to it and we have private industries speaking to it as well.

People realize that the wage gap across the world is widening and we are seeing more and more people slipping into poverty. Legislated minimum wages are not keeping up with the cost of living when we look at the increase of the cost of food, the cost of housing, the cost of electricity, the cost of transportation. Everything is going up at a far higher rate than the very small incremental increases that we see in minimum wage.

We saw only last week what our government proposed, and it's \$6 a week for our minimum wage earners – \$6 a week. That's two bus tickets. That's really all it is, is two bus tickets a week for those who are travelling by public transit. It's not enough. Again, what we see is more and more people slipping into poverty.

We know, Mr. Speaker, that poverty is expensive. People earning living wages, people

earning wages that allow them to live with dignity and with health – because healthy food is expensive – saves us in the long run. Poverty is expensive, and we know that. The studies have been done. So this is about, in fact, an investment, Mr. Speaker.

Thank you very much.

MR. SPEAKER: Further petitions?

The hon. the Government House Leader.

MR. A. PARSONS: Order of the Day, Mr. Speaker.

MR. SPEAKER: Orders of the Day.

Orders of the Day

MR. SPEAKER: The hon. the Government House Leader.

MR. A. PARSONS: Mr. Speaker, we've just, prior to petitions, given notice on a number pieces of legislation. For those who are watching that are not aware of procedure, you're unable to do multiple readings of a bill. That being said, I'm hoping that with leave of my colleagues across the way that we'll be able to proceed on a couple of pieces of legislation today, primarily Bill 30, starting off, and possibly Bill 29.

At this time, I would ask for leave from the House Leaders and my colleagues across the way that we could do first reading on Bill 30.

MR. SPEAKER: I look to the Opposition. Is leave granted?

AN HON. MEMBER: Yes.

MR. SPEAKER: Yes.

The Government House Leader has leave. Please proceed.

MR. A. PARSONS: Thank you, Mr. Speaker.

I appreciate the co-operation from my colleagues.

I would move, seconded by the Minister of Service NL, for leave to introduce a bill entitled,

An Act To Amend The Workplace Health, Safety And Compensation Act, Bill 30, and I further move that the said bill be now read a first time.

MR. SPEAKER: It is moved and seconded that the hon. the Minister Responsible for WorkplaceNL shall have leave to introduce a bill entitled, An Act To Amend The Workplace Health, Safety And Compensation Act, Bill 30, and that the said bill shall now be read a first time.

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

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

The motion is carried.

Motion, the hon. the Minister Responsible for WorkplaceNL to introduce a bill, "An Act To Amend The Workplace Health, Safety And Compensation Act," carried. (Bill 30)

CLERK (Barnes): A bill, An Act To Amend The Workplace Health, Safety And Compensation Act. (Bill 30)

MR. SPEAKER: This bill has now been read a first time.

When shall the said bill be read a second time?

MR. A. PARSONS: Today.

MR. SPEAKER: Today.

On motion, Bill 30 read a first time, ordered read a second time presently, by leave.

MR. SPEAKER: The hon. the Minister Responsible for WorkplaceNL.

MS. GAMBIN-WALSH: Mr. Speaker, I move, with leave, seconded by the Minister of Finance and President of Treasury Board, that Bill 30, An Act To Amend The Workplace Health, Safety And Compensation Act, be now read a second time.

MR. SPEAKER: Does the minister have leave to continue?

I'm looking to the Opposition. The minister has leave?

AN HON. MEMBER: Yes.

MR. SPEAKER: Okay. Thank you.

The Minister Responsible for WorkplaceNL.

MS. GAMBIN-WALSH: I'm pleased to stand today to speak to the amendment to Bill 30.

MR. SPEAKER: Excuse me, order – it is moved and seconded that Bill 30 entitled, An Act To Amend The Workplace Health, Safety And Compensation Act, be now read a second time.

Motion, second reading of a bill, "An Act To Amend The Workplace Health, Safety And Compensation Act." (Bill 30)

MR. SPEAKER: The hon. the Minister Responsible for WorkplaceNL.

MS. GAMBIN-WALSH: I'm pleased to stand today to speak to the amendments to Bill 30, An Act to Amend the Workplace Health, Safety and Compensation Act.

We know that workplace injuries have long-lasting physical and emotional impacts on many individuals and families throughout Newfoundland and Labrador. Before I speak specifically to the amendments we are bringing to the floor of the House today, I would like to highlight the new five-year Workplace Injury Prevention Strategy we launched last week.

The Prevention Strategy, developed in consultation with our injury prevention partners and stakeholders, represents an opportunity for everyone to help protect workers from hazards in the workplace. It was developed over 15 months, led by WorkplaceNL and the Occupational Health and Safety Division of my department, in consultation with safety partners and stakeholders. This included research on the prevention initiatives across Canada and other countries, focus groups and feedback provided on a discussion paper.

The strategy identifies 50 opportunities built around five outcomes: safety leadership, industry collaboration, education and training, occupational health and safety programs and systems, and regulatory and enforcement practices. We know there have been significant improvements in workplace safety in our province. More and more workers are returning home safely to their loved ones at the end of their work day.

In 2016, the lost time injury rate of 1.5 per 100 workers is the lowest it has ever been, and it is among the lowest in Canada. The 2017 statistics is expected to be consistent with this. Ninety-two per cent of employers in our province are injury free. This is a direct result of the co-operation and hard work from all safety partners including employers, workers, labour, industry, safety associations, training providers and government.

As an example, our province now has 10 mandatory safety training programs that are standardized and regulated for over 60,000 workers each year, about 25 per cent of the workforce. As a result, the rate of falls from height has declined by 31 per cent. Newfoundland and Labrador is the only province with a provincially regulated occupational health and safety high school course: Occupation Health and Safety 3203.

We've had a dedicated focus on creating awareness among young workers and we can now proudly state that workers aged 15 to 24 lead the province in workplace safety. They consistently have a lower lost time incident rate than the provincial rate. Mr. Speaker, these young workers are our future. We must continue to arm them with workplace safety fundamentals to carry forward throughout their careers.

Back in 2000, the injury rate was more than double what it is now. If it had remained the same we would have approximately 35,000 more injured workers in our province than we have now. Instead, these workers have received safety training, are more informed on how to identify workplace hazards and are using safe work practices, but we also know the devastating impacts that workplace injuries are having on workers and families in our province today.

WorkplaceNL serves approximately 13,000 injured workers in our province each year. On average, 14 workers are still being injured or falling ill due to their workday. In an instant, a person's life can change forever. For some individuals the effects are felt for a short period of time and they are able to return to work relatively quickly but for others it may last a lifetime. Reducing workplace incidents is everyone's responsibility and together we must continue to find ways to ensure that everyone returns home healthy and safe at the end of the workday.

WorkplaceNL remains committed to maintaining a sustainable workplace injury system for workers and employers in our province. That is why, Mr. Speaker, I am very pleased that today in this hon. House we will debate an amendment to the *Workplace Health, Safety and Compensation Act* to allow for an increase to the income replacement rate for injured workers in the province from 80 to 85 per cent.

SOME HON. MEMBERS: Hear, hear!

MS. GAMBIN-WALSH: The income replacement rate is the percentage of a workers pre-injury net income which is covered by the workers' compensation system. Once these amendments have been made, the rate will be calculated at 85 per cent of an individual's net after tax earnings.

Within the wage loss benefit calculation, the worker's gross before tax income is capped at the maximum compensable assessable earnings which is \$64,375 in 2018. At present, Mr. Speaker, this threshold in Newfoundland and Labrador is the highest in Atlantic Canada. The higher income replacement rate will help improve benefits to injured workers and dependent spouses without increasing the average assessment rate charged to employers. With this legislative amendment, our province will achieve parity with the other Atlantic Provinces in calculating wage loss benefits based on 85 per cent of income.

The workers' compensation system in our province is fully funded at 126.1 per cent as of December 31, 2016, and its financial position continues to improve – 2017, Mr. Speaker, enter

a correction there. It can now sustain a benefit increase for injured workers without increasing the average base assessment rate paid by employers. In fact, the average assessment rate for employers is lowered to \$1.90 per 100 of assessable payroll for 2018. That, Mr. Speaker, is a 31 per cent decrease since 2013.

As I referenced earlier, Mr. Speaker, the positive trends in workplace safety across our province, along with the lost time incident rate at an all-time low of 1.5 per 100 workers, have resulted in fewer claims. This in turn has led to the lower employer assessment rate. Together with employers, workers, industry, safety associations, employer and labour advocates, we are working toward building an even stronger culture of safety in our province.

We know this legislation is welcomed by many injured workers in our province or their dependents, Mr. Speaker. It is one more step along our path to help reduce the financial, emotional and physical impacts workplace incidents are having on injured workers, their families and their communities.

Mr. Speaker, back in December 2016 we announced implementation of presumptive cancer coverage for career and volunteer firefighters. Our government recognized the need for a benefit that firefighters have been seeking for more than a decade, and was already provided in most other provinces.

Today represents one more positive initiative in our efforts to improve the workers' compensation system for both injured workers and employers in Newfoundland and Labrador.

We are also turning our focus to other important issues for workers in our province such as post-traumatic stress disorder. Work-related mental stress conditions such as PTSD are impacting workplaces across Canada.

Late last fall, I met with stakeholder's to seek input on the prevention of and compensation for work-related mental stress. We have initiated a review of the WorkplaceNL's mental stress policy, with a goal of modernizing our approach. This involves a two-stage process, with the first involving an immediate policy review, and the

second a review of PTSD coverage across other jurisdictions.

Workplace health and safety is everyone's responsibility, and we will continue to work together with everyone who plays a role in keeping our workplaces safe, as well supporting our injured workers. We will also continue to be proactive and work toward creating a safety culture in our province.

Our government is proud of the amendment we are debating today, proud of the difference and increase in the income replacement rate will make in the lives of injured workers or their dependents.

As I have stated previously in this hon. House, it is important that we constantly review and amend our legislation to ensure it is meeting the needs of the people of our Province. I am pleased that we are here today to debate this amendment to the *Workplace Health, Safety and Compensation Act*.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Thank you very much, Mr. Speaker.

I'm pleased today to get up and talk about the new amendments that have been brought forward here today. Mr. Speaker, I'm first going to start off by saying that we all know of individuals who have been injured in the workplace. We all know of the stress and the strain it's put on families.

When I first became elected in this Legislature, Mr. Speaker, in my first couple of weeks I had a person come to my office. You don't realize the impacts it has on individuals, people that want to work and people that want to be in society and contributing to society. And all of a sudden because of a workplace injury, whether it's the fault of themselves or it's a fault of the environment they're in or whatever, they're left with this stress, strain, you name it, on their family and on themselves.

It's a great program we have and it's a program that will hopefully bridge that gap from being injured to being able to afford the things of life. When this happens to individuals and happens to families, the strain is just unbelievable. So any time we can increase their benefits in any way at all just to make it easier – now we're going up 5 per cent – that's a good thing. It really means a lot to those families and individuals who are put in the circumstances.

Like I said, there were individuals I've been dealing with over the last almost 10 years now, they had different claims and stuff like that and appeals. The whole process and your doctors' appointments, having to go see your specialist, having to get a letter and having to get this done and that done to be able to qualify and be able to get your workers' comp is so important to individuals. This is an important thing to so many people in Newfoundland and Labrador.

I'm very pleased today to also know that times have changed in our society. I have friends now that are trainers on sites. I know at one time – and I know the minister just mentioned that time that it was a 31 per cent decrease now in what's happening with heights, people falling from heights and getting injured, whether they're falling off a scaffold or they're falling off a roof.

I remember a real good friend of mine, one time he was shingling a roof with a company and at that time there was no need of harnesses or anything. He slid off the roof. Even today he is still not back to where he was. He broke both of his arms when he landed on the ground. Back then that was just part of the job he was doing. He was shingling a roof and that was it. You went up there and circumstances – you didn't have to have these things, but today through regulations and through standards we've put out here – and what our government did, our government has done a fantastic job over the last number of years.

We've come in line with all this new technology that people have to have, new ways of doing things. It's important that these standards and regulations are implemented in the workplace because no one wants to hear of a family member, or do they want to be that person who gets injured at the workplace, and it can happen

so easy. In just a matter of seconds people's lives are turned upside down.

By doing what is happening here today, increasing the benefits is a positive thing. It's a positive thing because I am sure most workers that get injured on the work site really don't want to go on workers' comp. They don't want to be out there and have to have a decrease in their salary at all because people have payments, people have house payments, mortgage payments. They have children going to school and they have groceries to put on the table. There are all kinds of different factors of why we work and why we work so hard.

Again, I want to just say a little bit about what the minister first said where she talked about what is happening in the field today. Again, I mentioned that I had some people, friends of mine, real good friends of mine actually that are trainers. What they do, they have to go to these work – whether it's Muskrat Falls, or it's out on the oil rigs, or down in Vale, or it's anywhere at all, people have to be trained. Any unionized person in this province right now basically has to be trained.

Even if you see local construction now, you'll see that scaffolding is done differently. I know I go back to a time when I was very – it's a long while ago now. I got a job one summer painting the school in Flatrock. We were up on a wooden scaffold where it was just two pieces of board shoved in there into the side. We went along a piece of 2 x 10 and painted the school. At that time it was under the school board, the people who were contracting that. That's what we worked on, but I'm glad to see – and it's the reason why we're noticing that the rates are down.

I know earlier when the minister said how they changed from the rates – and now even the fund itself, and the reason why the fund has increased. I think back in the '90s it was at 60 per cent and now it's up to 129 per cent funded by the employer.

Our government has reduced the rate to employers in this province. Anything we can do to help our employers also, because they're the people who generate the economy in this province. If we can reduce their rates to make

sure they're paying less that they can, and obviously they're paying their share. Now it's up to 126 per cent. The burden on employers is huge. So I'm pleased with that, too. Just the fact that it's reducing, the fact that people are more aware of what's happening in the workplace and the fact that, I guess, it's a result of people getting wiser.

Even when we do contracts and do different – I know government does it. I'm sure most of the oil industry and all the megaprojects have certain standards and stuff like that in their contracts. Today all that has changed, and it's important that it did change because this is the result. The result is less people are getting injured in the workplace.

What we've done here today, and I agree with the minister and I support it, but what the minister is doing here today, I feel that any time a person is working in an industry and they get injured, that they get compensated. It's not their fault they got injured. So they get compensated to the maximum they can. Increasing this will do that.

We were back in – I think it was the '90s where it was changed. One time back in the '90s it was at 90 per cent and then it got moved down into – maybe it was earlier than that, maybe it was the '80s. Then it got moved back down to 70 per cent and then it came back up again, I think it was in 2003, to 80 per cent and now to make this increase today. So we're going in the right direction.

Again, it's important that we make sure people abide by the regulations and there are safety officers out there to make sure that when they see stuff that people are aware that this can't happen. Anytime there are standards and regulations put in place, we have to make sure we have people in place to implement those standards and regulations and to ensure workers, especially the families – we have to ensure the families know their loved ones when they go to work in the morning are going to come home safe in the evening. That is what this is all about.

Again, increasing the amount of money they can get through workers' comp – meanwhile, it is capped I believe at \$63,400 is what the minister said. So that's capped. Now this effect will have

on I'm sure most Newfoundlanders and Labradorians but some people who are really high income, they will also – it won't affect them as much because they are at that high threshold and that will be the maximum they can obtain from workers' comp.

Mr. Speaker, over the years there are 13,000 – I think 13,000 people that this will impact. It will also impact on deceased family members and the families of people who were injured. So it will increase their benefit also, which again is a real good thing.

Again, Mr. Speaker, I would just like to reiterate that we will be supporting this. Anything we can do for injured workers in our province, to make it a positive place for them to go to work and ensure them that if something does happen, they will be compensated.

Thank you very much.

MR. SPEAKER: The hon. the Member for Virginia Waters - Pleasantville.

MR. B. DAVIS: Thank you, Mr. Speaker.

It's a pleasure to rise in this hon. House today to speak to Bill 30, An Act to Amend the Workplace Health, Safety and Compensation Act. Thank you to the MHA for the beautiful – I'm surprised he didn't say that today – District of Cape St. Francis for supporting this bill. I think that's an important thing that he's made a decision to go that way.

Like all MHAs in this House, we've heard the stories of workplace incidents that have forever changed the lives of our constituents. Too often relatives, friends or neighbours have been impacted by events in the workplace that have far-reaching impacts on their physical, emotional and social health.

A while back, Mr. Speaker, I spoke with a gentleman who had damaged two discs in his lower back when a truck wheel fell on him at his workplace several years ago. His condition failed to improve and his health actually continued to decline. While his physical condition was very obvious, the emotional strain from his injury also came to forefront during our conversations. He spoke of the hockey games

his son played that he will never be able to watch and the family activities he could never participate in because of the pain he was living with each and every day.

Mr. Speaker, since I became the parliamentary secretary to the Minister Responsible for WorkplaceNL, I've had the opportunity to see workplace injuries from the other side. I see first-hand the tremendous efforts that are underway by the many, many dedicated individuals to help improve the lives of injured workers in our province.

Last week, I attended the launch of a new five-year workplace injury, illness and prevention strategy. As the Minister of Service NL stated earlier, this plan was developed in consultation with injury prevention partners and stakeholders and is aimed at helping protect workers from hazards in their workplace.

Mr. Speaker, serious injuries have increased by 21 per cent over the last decade. These types of injuries can be devastating to injured workers and their families. More people are now willing to come forward, discuss and address mental health issues in the workplace. Workplaces need to be ready to provide environments that are supportive of the mental wellness for its workers.

As well, all of our workplace safety programs need to respond to the aging demographic of our workforce. This is a real concern as our province has the oldest population. Soft tissue injuries continue to represent almost 70 per cent of the injuries reported to WorkplaceNL and, therefore, continue to be a main focus of the Prevention Strategy. While we also know that young workers, those ages 15 to 24 years of age, have a lower injury rate than the provincial rate, we need to continue to provide a solid foundation for safety awareness so that generation will carry that proactive safety culture forward throughout their careers.

While we need to maintain a focus on preventing workplace injuries, we must also maintain a focus on those who have already been injured. Mr. Speaker, the increase to the income replacement rate we are introducing into the House today is a wonderful example of this effort. I could not agree more with the Member

for Cape St. Francis when he spoke earlier about the stakeholders and how the injury rates have gone down. It's a direct reflection of the education and training that all the stakeholders and the primary focus they have placed on making workplaces safer for workers to work in. An increase from 80 to 85 per cent of the pre-injury net earnings will certainly benefit injured workers and the people that count on them. This is a very important step to help these families.

Mr. Speaker, the ability to improve the lives of approximately 13,000 injured workers or the spouses of deceased workers is significant. It is especially significant given the wage loss benefits for injured workers have not been increased since 1998. That changes now.

I'm proud to stand with my colleagues today on Bill 30 that will have such a profound, positive impact on the lives of so many injured individuals, some of the most vulnerable in our society. It reminds me why I choose to serve the people of my district in the province in the first place: to make a difference.

Increasing the income replacement rate to 85 per cent is a key recommendation from the statutory review in the act and is one that will make a difference. It represents one more important issue we have tackled as a government, along with presumptive cancer coverage for firefighters and a reduction in employer assessment rates. These are tangible actions that we have committed to and delivered on.

As the Minister of Service NL indicated, we have also initiated a review of the WorkplaceNL mental stress policy in order to explore options to modernize the approach to work-related mental health issues, including post-traumatic stress disorders. A review of the mental health-related policies of other Canadian workplace compensation boards, as well as a consultation with workplace primary stakeholders, the Newfoundland and Labrador Federation of Labour and the Newfoundland and Labrador Employers Council, will also help to inform this policy. In the long-term, Mr. Speaker, the review of post-traumatic stress disorder coverage will be informed by formal research and input from interested parties.

WorkplaceNL is also in discussions with Memorial University to conduct a literature review of PTSD as it relates to workplaces in Newfoundland and Labrador. These reviews will help guide our government in terms of possible changes for work-related mental health injuries, which is in keeping with our government's focus on improving in all programs and services.

Again, Mr. Speaker, I want to say how delighted I am to rise in this House today to speak to these amendments which will see the income replacement rate for injured workers or their dependants rise from 80 to 85 per cent. We will continue to work towards improving the workplace compensation system in our province for both injured workers and employers. We will also continue our efforts to help keep safety at the forefront for everyone. One workplace injury is too many, and everyone deserves to return home to their families and friends at the end of each and every day.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Ferryland.

MR. HUTCHINGS: Thank you, Mr. Speaker.

I'm glad to stand and take a few minutes to speak to Bill 30, An Act to Amend the Workplace Health, Safety and Compensation Act and, as has been talked about, the income replacement ratio in the insurance system that all jurisdictions and territories across Canada have. They're provincially driven, the systems themselves, and are funded through employer's assessments rates.

As we know, if an economy is buoyant and there's a lot of payroll in that economy, there's a huge opportunity then to generate income for the injury fund through that percentage and that percentage is arranged through an assessment rate to a whole range of rate codes for various industries. Then, through all of that, you get your average assessment rate and that generates the monies in the fund to fund the system.

Now, if we go back, I guess – and William Meredith who originally, I think, was in Europe,

came up with the system. It was based on the fact that, in respect of not being able to sue, employers would fund the system to take care of injured workers, from the full gamut of an acute injury to medical care, to long-term disability, to long-term care. All of those are factored into the system. It's very consistent across the country, in provincial jurisdictions and territories.

While some had some very different coverage, some jurisdictions may have 95 or 96. We're very high in this jurisdiction in regard to the amount of workers that are covered. There is coverage for them. I think it's maybe 97 or 98 per cent, if I remember correctly, as opposed to other jurisdictions and what that coverage is.

In terms of our fishing industry here, we have coverage there. That's not based on payroll. It's based on the amount of resource that's sold. Then that generates funds to go into the actual injury fund.

So that's what the system is. From time to time we do statutory reviews. My understanding is some of what we're talking about here today are discussions that evolved from a statutory review in regard to looking at the assessment rates, looking at the injury replacement income and at various times over the past number of years it has varied. This is about bringing it to the 85 per cent range in terms of earnings replacement, weekly net earnings.

For those out there in the system, in regard to people identifying what their earning replacement is, there's a maximum insurable earning, annual earnings that's used to calculate someone's weekly rate once they're injured in the workplace. That has moved up to, I think it's about \$64,000, in that range, if I remember correctly.

I know a number of years ago, our time in government, I think we tied it to the consumer price index in regard to having it flow through each year. Instead of doing ad hoc analysis every year, or every statutory year, how much you're going to increase it by, it was tied specifically to the consumer price index. Whatever that was, 1 or 2 per cent, whether that was the amount it would be, every year would be recognized, the inflationary costs. That would be tacked on to the maximum insurable earning.

So then that would be the amount that was used for calculation, what we're talking about here today in regard to the 85 per cent net. I think it originally used to be 13 weeks they would do an initial assessment rate and a long-term rate after that, but that gross amount would be used to determine. It would be normal deductions. CPP, EI would be taken out as if you were working. That would get you to the 100 per cent of net. Then from there, what we're talking about here today would be applied to that 100 per cent of net to make the determination of what that weekly rate would be. That weekly rate through this bill, as I said, has gone from 80 to 85 per cent. So, obviously, it's a greater percentage of that net that's identified. That's a greater return to an injured worker who is receiving benefits.

I also was interested to note, too, it's in the actual act, whether this was just what they call temporary earnings loss, which would be for someone that's just had an injury at work, they're receiving medical care and treatment. That amount would be paid to them while that would happen with the intent they would move back into the workplace and return to their pre-injury position.

Extended earnings loss; and that's long-term disability. Someone's deemed that maybe they can't go back to their pre-injury employment. They're assessed on what they could do. They could be deemed capable of another position and receive offsetting earnings of what the pre-injury earnings were and what they're capable of earning today. That would be extended earnings loss. Or it could be – unfortunately, someone could have a serious enough injury that they couldn't return to any kind of employment. Again, there would be a calculation done on what their long-term benefit would be.

My understanding is this change we're talking about here would also affect those as well. So it's short term, those that are receiving medical care from their injury, but it's also those that, unfortunately, may not return back to their pre-injury employment. Maybe they return to some other employment and could get compensated, or the injury may be significant enough that they cannot return to any kind of employment. They would receive full – I think it was called extended earnings loss. It may still be. That

would apply in this particular case as well in regard to a determination of 85 per cent.

I mentioned to both sides, this system is funded through an injury fund which is generated through payroll and assessment rates and calculations of what's paid on an annual basis by all employers. In this province you're mandated to register and to have your payroll assessed to make sure that all employees in your business are covered. You pay into the system to cover what we're talking about today to make sure that injured workers have available to them benefits – not only wage loss, but certainly related to medical treatment, medical care, and the full gamut of what's available to help them recover from their injury and/or a very serious injury that may not allow them to return to pre-injury employment, or not employment at all, but to care for them if they were to be on long-term disability or extended earnings loss.

As I said before, some years ago we tied the increase on an annual basis to the maximum insurable to the consumer price index, which allows a percentage increase each year. My colleague for Cape St. Francis mentioned about all those workers that are affected by this, and it's not only workers. Unfortunately, it's the families or spouses of deceased workers and dependents and what their calculation would be if something unfortunate was to happen, lose someone in a particular industry. This would be used as well in regard to that dependency benefit, is my understanding, if something were to happen, and for someone to be awarded benefits and taken care of from that perspective.

So again, it's a significant piece of legislation looking at our system, the workers' compensation system in our province and how we continue to look at how we service those in our province in regard to the system. As I said, I think there's still a statutory requirement review every so many years that allows all the stakeholders that are involved to come forward, to make recommendations, to look at what's transpiring in the system under the legislation, under the regulations, under the policy, to hear people's experiences and encounters with the system.

Certainly, those that are employees and those that are employers, they come together and can

make a recommendation as we move forward. I guess this is the result of one of those as we balance it out. As was mentioned earlier, I think the fund is now well over 120 per cent – 126, I think, per cent funded. That's significant. Then it allows us to look at the stability of the system going forward.

The actuarial analysis is often done in regard to generating a payroll, injury cost over a period of time. All of those are factored in to make sure we have a solid injury fund. We certainly do today. This bill looks at how we make adjustments to make sure we're doing that balancing act in terms of running a system and make sure we can do what we can for injured workers and people employed in our province.

To finish, just from the perspective of assessment rights – I know my colleague spoke to that as well – in regard to employers. It's always good to be competitive in regard to what employers pay. This is one element as well of what an employer would pay to register in our province, pay taxes, along with corporate tax or small business tax, but they would pay a premium here. We have a system that's in the shape it's in today that bodes well for our employers and for our employees that we can be competitive with other jurisdictions in what we're charging. So it's good for both sides of the equation, and it's something we would support on this side with regard to this bill and this amendment.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Leader of the Third Party.

MS. MICHAEL: Thank you very much, Mr. Speaker.

I'm very happy to stand today and speak to Bill 30. It's a welcomed bill. The amendments that are being brought in are based on the recommendation going back to the Statutory Review Committee in 2014. So we've been waiting four whole years for this recommendation to be paid attention to, and right on the heels of another review in 2018. I do hope that with whatever comes up in the 2018

review, we won't be waiting for four years after that to see recommendations being dealt with.

Having said that, I'm very happy that finally this amendment is coming to the floor, especially the amendment which will increase the injured workers income replacement rate from 80 per cent to 85 per cent. One of the realities is that when the injury fund ran into trouble back in the 1990s, there was a major drop in what the rate of payment would be and, up until then, workers received 90 per cent of net pay. In the 1990s, because of a major drop in the injury fund, the payments declined to 75 per cent and then gradually started increasing to 80 per cent. So with this amendment, we're up to 85 per cent, but we're still not at where we were in the '90s before the bottom fell out of it, in some ways.

I think it's really important that now in 2018 when the review is done we need to look at can we go back up to the 90 per cent. As has been pointed out both by the minister and by other speakers, our injury fund is in really good condition right now. And again it has been pointed out it's 126 per cent of the fund in 2017, and that's good. In the briefing we got – and I thank the minister for the briefing; we had an excellent briefing. In that briefing, we were told that the plans are there for ensuring that that fund remains healthy. The investment plans that are in place look really good. I think that's what we have to be on top of now is making sure that the investment plan maintains and that the injury fund, again, remains stable as it now is, even better than stable.

I wanted to know at the briefing why things have gone so well. I was told by the officials from the department, first of all, there's been a real growth in the payroll base – that's good; that means that people are making better money in the province and I'm glad to see that – and a decline in injury rates. I was delighted to hear that. I was also told in the briefing that there are plans in place to prevent injuries, more plans in place for education in the workplace and with employers to be preventative in the approach with regard to injury so that we can bring the rate of injuries down even more.

Where it is, is very good, but it would be wonderful to bring it down way more. We know it will never be zero. There will always be

accidents that will happen, but I was really pleased to hear about the plans for education in the workplace and with employers, because preventing is obviously the first to go – prevention as much as possible.

And I do know that in some of the – well, all of them I guess – large industrial work areas, they do pride themselves on keeping signs up showing how long they've gone without an injury. I think that becomes a real incentive to workers, but they need the support, of course, of the workplace and the support of government in getting that mindset that you can prevent injury.

I want to come back – before I go further into that – to talk about the part of the amendment that I'm not quite happy with and that has to do with the assessable income cap. So the cap that is put on, the amount of money you can earn and be covered under workers' comp is now \$64,400, approximately, here in the province; \$64,375 –

MR. SPEAKER: Order, please!

I remind the Member, as I indicated in my opening remarks, that we're to deal with the relevance, so not to go into the clauses of the bill. I'd ask you to speak to the principle in second reading.

MS. MICHAEL: Okay, well then I think the principle I'm speaking to – I was just giving a detail on it – is having a cap. There are provinces who have a cap; there are provinces who don't. I think that we need to look at that. I think in the review in 2018, we seriously need to consider actually removing the cap.

We can do things that are done in other provinces. I can go into details on that when we go into Committee of the Whole, but other provinces have other ways of dealing with not having a cap. We have to be careful about comparing apples and oranges; I understand that. But if there are provinces that have been able to remove a cap, then I think we need to consider that as well or, in the interim, to work towards it, but in the interim to make sure that our cap is not too low. I think the principle should be that we look at having a cap that is commensurate with the salaries of workers who are covered

under our workplace health and safety. That is a principle I think we need to look at.

We need to look at the changes that have happened, if the payroll base has gone up. According to the officials, the payroll base has gone up, then I think we really have to question why we have a cap which is I think the 10th lowest in Canada. This is something that really needs to be looked at.

Coming into the injury fund, as I said earlier, keeping the injury fund in good shape has to be a priority for the department and for the officials. I think the fact that over the last five years the employers' assessments declined considerably – they declined by 31 per cent actually over the past five years – yet we still have a really healthy injury fund, one has to ask why there was no corresponding increase in the benefit paid to workers that over those five years while the employers were getting breaks, the workers still had to maintain the lower rate that they were getting if they were injured. All the more reason that this change is coming in and the rate is going up to 85 per cent so that the workers getting corresponding just treatment when compared to what the employers were getting over the last five years. From that perspective, I'm very, very glad that we have put it up.

In looking at the replacement rate in Canada, we are still the lowest in Canada. I know it's good to compare to the Atlantic provinces, but the Atlantic provinces are not always the best examples of best practices. When we compare ourselves to Atlantic Canada, we may look really good because perhaps the rest of the Atlantic provinces aren't, as I said, up to par.

So it is much better for us – if we want to improve, it's not to compare ourselves to Atlantic Canada but to the rest of the country. Not all the provinces in Atlantic Canada are comparable with us when it comes to our economic situation, I realize that. But I have to look at why, for example, with the increases that happen annually under the consumer act – I can't get the word I want, the CPI. Why under that we would be looking to the rate used by the national level when our own index is much higher most years than the national level.

There are provinces that use their provincial CPI as the CPI to increase on an annual basis, not the national CPI. I think this is something that needs to be looked at as well in the review that's going to be done in 2018, why the national CPI – in actual fact, some years there's a whole point percentage difference between the provincial one and the national one. Provincially, our people are dealing with a rate of inflation that's much higher than some other provinces, yet they're only getting an increase based on the national average CPI. So I think that really needs to be checked out in the review.

I know there are many groups who have spoken to that, many groups who are concerned that the benefit is too low. Our goal should be, as some of my colleagues have said, making things as good as possible for people who are injured.

There are some areas in which we would like to see more work done. I'm really glad that we did see, brought in recently, new initiatives to prevent and treat musculoskeletal injuries and mental distress. I think the principle for me there is keeping up to date with our modern workplace, keeping up to date with new technologies, because there are new technologies that in actual fact can be good on one level, but on another level could cause injuries.

MR. SPEAKER: Order, please!

I just ask everyone if they could respect the Member who's speaking, please. If you have to, take your business outside.

Please and thank you.

MS. MICHAEL: Thank you very much, Mr. Speaker.

So talking about modernizing criteria, we have to look at workplaces from that perspective. I think one of the reasons why we seem to have a higher degree of soft tissue injuries than we've had in the past is because of technology in offices and people using electronic communications in a way that can very often cause soft tissue injuries. That's a common expression for the musculoskeletal, but the soft tissue injuries are a serious situation. Not that they didn't exist before, but it's very high now.

So looking at the reasons why people have these injuries and then trying to create preventative measures is extremely important.

The other thing that's rising – and this is disturbing, and I think it's something that will have to be looked at in the review as well – is traumatic injury rates arising, especially in long-term care. In long-term care we find that workers are becoming injured more and more. There are many reasons for that. I certainly would not be able to name them all. I think one probably is that we have more people in institutionalized long-term care. So that's one reason. Another might be that injuries weren't reported before. Certainly it's a major area and it's an area that does need to be studied.

We need to be dealing with – while we have to deal with a very concrete thing of what the rate of payment is and we have to deal with how much money one makes, what the cap might be, how far you can get compensated, that's all important, but in doing the review we are going to have to deal with these other broader issues. I know the minister is aware of that and others are aware of it, but we have to make sure it happens. We shouldn't have to wait four more years until we deal with some of the issues around the, as I put it, modernizing criteria for assessment. What is working and not working in the compensation system has to be looked at.

We get a lot of phone calls from workers who need help in doing appeals for worker's compensation. Maybe we need a review done of the number of appeals that are made on an annual basis. Maybe we need a review done of how many appeals are won. If we saw, for example, a very high percentage of appeals are won, then one has to question: well, why did they have to appeal? Why couldn't the right decision have been made in the first place? So I think there really does need to be in the statutory review, a review has to be done of these kinds of things.

What is the number of appeals? Is it higher than in other areas? Are more appeals won than lost? Why should appeals have had to happen? Why couldn't a better decision have been made? I think there needs to be that kind of assessment. Certainly, based on the phone calls we get and the cases we get through our constituency

assistants, it is an issue and I think it needs to be dealt with.

I think the new review committee that gets set up has to have public consultations to hear from workers and unions and employers. They will be the ones who can speak well to what is working and not working in the compensation system.

Mr. Speaker, these are my main points. I am in favour, obviously, of the change. I've given some detail about the principles that I think need to be dealt with when the statutory review this year is put in place.

Thank you very much.

MR. SPEAKER: The hon. the Minister of Municipal Affairs and Environment.

MR. JOYCE: Thank you, Mr. Speaker.

Again, I take this opportunity to stand in this House to support this bill. I commend the minister for working so hard to get this done and to bring it forward for the injured workers.

Mr. Speaker, I'll just go back in my number of years in government. Mr. Speaker, back in the '90s when the fund was almost dissolved, it was down almost to 62 per cent, 63 per cent at the time. They had to bring it back up to a level to ensure that the fund didn't go bankrupt. That is why at the time the rate was pushed down, Mr. Speaker, because of the fund within the rate.

Through worker's compensation and the people working there, they work hard. There are a lot of files that come over their desks that are very complicated; there are some that are straightforward.

I know in my time as the Minister Responsible for WorkplaceNL, there's a dedicated staff at WorkplaceNL who honestly try their best to do what they can to help out injured workers. We always get a complicated case which sometimes can't be solved or it takes a long time to get solved. We always have a difference of opinion.

And I speak to the Leader of the Third Party's question, talking about appeals; I've represented a lot of people at appeals at WorkplaceNL. I did it before and our office, we feel confident, and

we would help any worker through an appeal process. Sometimes it is a daunting task for someone who is not familiar with the system to get the appeals.

I'm well aware of it and sometimes it's pretty gruelling on the staff also because they are bound by legislation of what they can do. But my hats off to them because I was down there, I went through it and I met a lot of them, met most of them actually, and I know what their limitations are and they are bound by legislation. But I'm a firm believer that they try their best for the injured workers.

Mr. Speaker, another big thing with WorkplaceNL is about – again, I know the minister followed through on this a lot – prevention and education. That's a big part of it also. I'm going back to the '90s and had it all developed and now there's a great education program, there's a great prevention program with all the workers and with all the employers, employees in the province. That has been a great benefit to the people of Newfoundland and Labrador, to our employees and to employers.

Mr. Speaker, as we know, we decreased the rates. The board decreased the rates for the employers recently. So the rates are going down also for employers and the benefits for the employees are going up. That took time and the board is working very hard with it. I had many meetings with the board.

One of the things that I'm proud of as minister – and, Mr. Speaker, you're well aware of this – is part of the process for workers' compensation and WorkplaceNL, we brought in presumptive cancer through all this here for all the volunteer and career firefighters across the Province of Newfoundland and Labrador.

SOME HON. MEMBERS: Hear, hear!

MR. JOYCE: So, Mr. Speaker, that is something that we brought in also through WorkplaceNL with all that and that will benefit about 6,000 people in the province. So there are a lot of great things happening in WorkplaceNL and that's just a few of them.

We can see a gradual progression moving forward of the benefits coming out of

WorkplaceNL. I think the solvency fund now is 126 per cent, so we have to keep the fund up a bit. I think in the scans all across Canada we're in the middle of the pack of the solvency at 126 per cent. This allows the minister – and I commend the minister because I know the minister, when she was speaking, she's well aware of the rates and she would love to see it increase. I have to commend the minister, the Member for Placentia, great job for bringing it forward and getting it brought in this House.

Not only that, Mr. Speaker, this is a bill that you can see is going to be supported all across the House. So you know the work the minister did when you can get a bill supported. I thank all Members for supporting this because it is going to help the workers. We can always say we should more, but we have to do it in steps to ensure that the fund remains solvent and to the best benefits of all people, including the employers in the province when the board decreased their rates.

Once again, I commend the minister. I thank all Members for supporting this bill, Mr. Speaker. Growing the rates from 80 to 85 is a big step, and also for the workers and their spouses for their time. It's a big step. It takes off a big burden. It takes financial strain off a lot of people, Mr. Speaker. The whole fund itself was built around the premise – and, of course, we know what workers' compensation does, it allows that companies don't be sued. So if you had an injury at the area, instead of suing, you can apply for this workers' compensation. So that is why it is so important – and again I recognize the work of the minister – I was fortunate enough to be in the position for a while – to ensure that that fund is solvent for all the workers across Newfoundland and Labrador.

Mr. Speaker, you can walk in here today and say okay, we're going to put the rate 110 or 120 per cent. In three or four years' time, the fund won't there for people who need it. So the minister is doing it in a very responsible way, in consultation with the board. I just think that we're doing it in a prudent fashion.

We're going to repeal subsection 74.1(2) that was a part of the provision to utilize the mid-1990s to transition existing claims from 90 to 80. So, Mr. Speaker, again, as I mentioned in the

mid-90s, the fund I think was down to 64 per cent. I think it was in the 60s, I'm just going on memory, going into 60 per cent. At the time, that was to try to ensure that the fund is stable, to try to ensure that the fund will be there for the future for a lot of workers.

I understand people's concern that there are some issues that we made and we'd like to see solved. I understand that. I'm willing to bet that I represented more people in the appeals at workers' compensation than anybody in this room, that's how many appeals I've represented. I understand sometimes the frustration. I understand when sometimes people are caught up and the workers have to go by legislation and I understand sometimes when there's a bit of complexity with the doctor's reports that we usually review and help people through this; it is a daunting task.

I know the Leader of the Third Party mentioned looking at the appeals part. That is something that maybe we should look at because there are some funds, as we know, that goes to NAPE part now to help people through the appeals. They get a lot of calls also to help them through the appeals process. That is maybe something that we can look at in the future. I know and I spoke to NAPE workers and I spoke to NAPE themselves on it and what they're saying is that yeah, we get a lot of calls but they don't follow through on the appeals. That's maybe our legislation.

Also, Mr. Speaker, there's a lot of money from WorkplaceNL that goes to education. Education, Mr. Speaker, if you knew how many programs they're involved with now, put out in the general public, put out in the workplace to help people to prevent injuries. That is another big component of this here is the prevention of injuries so that we can ensure that people who are working that they get home safe that day.

So hats off to all the people who develop the programs, who are delivering the programs out in the community, who are delivering the programs to all the employers, to all the employees; you are making a difference because we know the number of the workers' compensation files has gone down, Mr. Speaker, because of that. That is a big part of it.

Mr. Speaker, with this move and with this part of the legislation now it is going to bring us on par with Atlantic Canada. We can always say there's room for improvement but we are doing it in a prudent, in a way that is consistent with keeping the fund solvent.

As I said earlier, to the workers at WorkplaceNL, to the workers at the Review Commission, at times I know they wish they could do more, but we develop the legislation. We develop the guidelines for them. I just wanted to say to the workers because I deal with them, the appeal process, I call them many times – I know the constituency officer out in Corner Brook, Judy, Judy has called WorkplaceNL to get clarifications to help out, and I know the frustrations of the workers also.

So this is a process that we all have to work on. We can always make improvements to it and today is one of the improvements that we're all proud of that we can stand in this House. I've got to give the Opposition – I know when they were in government, when the Opposition was in government, the Opposition also helped to make this fund solvent, because this didn't just happen overnight. This happened over time.

When the Opposition who are there now, when they were in government they worked on it to get the fund solvent also. I've got to recognize that also. We are now able to deliver back to the workers in the area. That is something I have to recognize because this is the House of Assembly, we're all going to support this. We all worked on ensuring that the funds are there. I just commend again to the minister.

I'm just going to take my place. Mr. Speaker, I'm glad to support this bill. I'm sure all Members in the House will support the bill. I know there are going to be some questions about what more we can do, but this is a prime example of when we all worked together from years back to now, that we can come forward and we can help the injured workers of the Province of Newfoundland and Labrador.

Once again to the minister, hats off to the minister for the work she did, and hats off to the minister who pushed this so hard because she knows what some of the injured workers are going through.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Speaker.

I'm glad to have an opportunity to speak to Bill 30, relating to the *Workplace Health, Safety and Compensation Act*.

Mr. Speaker, as has been said by all Members here, and the minister just said it, there's nobody in the House of Assembly today that's going to vote against this. This is a good piece of legislation. Everybody here will support it I'm sure. So I just want to say from the onset that I agree with that sentiment, that we will all be supporting it. I certainly will.

Mr. Speaker, I'm well aware of these issues, as I'm sure as other Members are. Perhaps even a little more so than some because I spent my career, prior to getting into provincial politics, working in the field of occupational health and safety. I've had the opportunity to work on numerous work sites, whether it be municipal, whether it be on board vessels, whether it be in water treatment facilities, big construction projects and so on.

I also had the opportunity to work from the perspective of disability claims. I managed numerous disability claims from my former employer in that area as well. So I'm very familiar with the prevention side of the coin. There's no doubt that we've come a long way in this province when it comes to the prevention of occupational health and safety, whether it be education, training, awareness and so on.

We've seen through a number of the associations, the Construction Safety Association is one that comes to mind for sure and their core certification program, where you know pretty much everybody now in the construction industry are very much aware and on top of health safety matters. They have the appropriate training in place, the equipment, policies, procedures and so on.

Many of them have their own in-house safety officers or safety professionals on staff to make sure things are running the way they should. Most employers now, certainly in that industry and others, if they subcontract out work and so on they have contractor policies and procedures they implement as well to ensure that contractors and subcontractors working on their behalf are also following occupational health and safety practices, best practices and abiding by the legislation.

Certainly, through the Department of Service NL, we also have health and safety officers which do not just respond to accidents and incidents when they occur but also in a proactive fashion they do go out to various workplaces, the higher risk ones in particular, and they will do random inspections and so on. That certainly helps as well.

We know through workers' comp, or WorkplaceNL I think it's referred to now, they're very much involved in training programs. We've seen a lot of programs now where there are certifications required for certain programs, more so than it was before. I hope to see that continue. All of this has been done to help, as I said, foster health and safety, create safer workplaces. I think the statistics, as has been mentioned, will show that when it comes to health and safety, our accident injury rates are down substantially from what they once were, and, of course, that has resulted in a very healthy injury fund.

The piece of legislation obviously that we're dealing with here this afternoon relates to the injury fund and in particular the fact that we will be now changing the rate from 80 per cent of net as a payout to an injured worker to 85. The 5 per cent increase – and there's no doubt that that's going to have a positive impact on injured workers in the province. Obviously, it's going to apply to all injured workers, whether they be on temporary earnings loss or whether extended earnings loss. In either case, we're going to go from 80 to 85 per cent of net earnings. So that is positive. There's no way to, in any form or fashion, suggest it's anything but positive for the injured worker.

I also think it's fair in the sense that we have seen over the last number of years significant

decreases in the premiums that employers have had to pay as a result of safer workplaces, less accidents, injuries and so on. So they've certainly seen benefit on their side. It's only fair that we now see benefit on the worker side. Now, the question is, the benefit we're seeing, does it go far enough?

The minister just talked about the fact that we have to try to be fair and balanced. There are always arguments as to why perhaps we haven't gone far enough. Certainly, I think it's something that needs to be explored.

In particular, I do agree with the Member for St. John's East - Quidi Vidi. I do echo her comments, concerns about the cap, because there is a cap of \$64,000. Someone would say, well, what is the significance of that? Well, if you're a worker who's earning \$64,000 or less, then you're fine, because you're going to get 85 per cent of net, but if you're a worker – and let's just think about it for a second, Mr. Speaker.

There are a lot of workers out there. I think of nurses, as an example. Nurses are in a very highly stressful position. A lot of back injuries and stuff occur because of the nature of their job. A lot of nurses are making more than \$64,000. I think of police officers, firefighters and so on, a lot of these professions are up probably closer to the \$75,000, \$80,000, \$85,000 range. So if you're somebody making, say, \$80,000 as a police officer, nurse or whatever, then you're taking a \$15,000 cut before we even get into the 80 per cent of net. For them it's a much greater gap. So that's something we should look at. That's not to knock what we're doing here today because what we're doing here today is positive, but we can't ignore those facts as well.

I can remember the RNC Association a couple of years ago were lobbying on this issue for their members, because the argument they had – and I could see the rationale for it – is they were saying they were a little different than regular professions because in other professions workers have the right to refuse dangerous work, but if you're a police officer and you get a call to go to an armed robbery or whatever the case might be, you can't refuse. You can't say I'm not going there because it's not safe.

If you're a firefighter and there's a building burning down, there's someone inside that needs to be saved, you can't say I'm not going in there, it's dangerous. You're kind of forced; when people are running away, they're running into danger by nature of their job. So certainly the argument they made is that we're even a little bit more unique because we're heading into danger, we can't refuse; yet, if we get injured because of our salaries, in addition to the percentage of net, we're also taking a cut from the perspective of the cap compared to our salary.

Now, there are a lot of people who would argue, and I would agree, that how do you pick and choose groups of workers, and any worker who gets injured on the job should be entitled to fair and equal benefits. But I just throw that out there because that is something that certainly has been raised by first responders, and we have recognized first responders as being a little different in the presumptive cancer for firefighters. That was something that came to the House, the minister certainly alluded to that, and that was another positive thing that was done.

Mr. Speaker, there are a number of issues that continue to have around workers' comp. Certainly the issue has been raised and alluded to around workers navigating the system and having representation at appeals. I know I've done a number of appeals. The minister just said that he's done a number. I'm sure every Member here, perhaps, has done appeals on behalf of their constituents. It's a long, tedious process. It can be very intimidating for a lot of injured workers and if there are things that we can do to improve the system around that to provide more resources to help get them through that system and to speed up the system because that can be a very long, arduous process, so I think we should be looking at that as well.

I'm not going to take any longer other than to say that there are still concerns that injured workers have. Is there more we can do? I would argue yes, there are things we can do. I'm sure the minister has indicated she's committed to looking at other things. Anything we can do to help make workplaces safer and help improvement benefits to injured workers while at the same time having an injury fund which is sustainable and affordable, for employers as

well, and striking a reasonable balance I'm sure we'll all be in favour of doing that.

I'll take my seat and I'll just conclude by saying, once again, I support this legislation. Kudos to the minister and the government for bringing it forward. It is a good piece of legislation.

Thank you, Mr. Speaker.

MR. SPEAKER: If the hon. the Minister Responsible for WorkplaceNL speaks now, she will close debate.

The hon. the Minister Responsible for WorkplaceNL.

MS. GAMBIN-WALSH: Thank you, Mr. Speaker.

I'd just like to thank the Member for Cape St. Francis, the Member for Ferryland, the Member for St. John's East - Quidi Vidi, the Member for Mount Pearl - Southlands, the Member for Virginia Waters - Pleasantville and the Member for Humber - Bay of Islands for contributing to this worthwhile debate today, contributing to the conversation we're having here around the income replacement rate.

There are many factors and many moving pieces to the income replacement rate, which was very evident here today. There's just one thing I'd just like to note that the Member for St. John's East - Quidi Vidi was talking about the cap, the MCAE. Manitoba, in fact, is the only province that currently does not have a cap for compensable earnings for injured workers. Alberta has introduced draft legislation, but Manitoba is the only province without a cap at present.

Mr. Speaker, the increase from 80 to 85 per cent is significant and it is something that injured workers and dependant spouses in our province have been looking forward to for a long time – a recommendation of the stat review. I personally know what it was like to be injured, especially in the 1990s because I was an injured nurse in the 1990s and it was a very difficult time to be an injured worker. It remains a difficult time to be an injured worker. Nobody wants to be injured, Mr. Speaker. Nobody wants to be off work.

I thank everyone here today and I'd like to close on this.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Is the House ready for the question?

The motion is the Bill 30 be now read a second time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, 'nay.'

This motion is carried.

CLERK: A bill, An Act To Amend The Workplace Health, Safety And Compensation Act. (Bill 30)

MR. SPEAKER: This bill has now been read a second time.

When shall the bill be referred to a Committee of the Whole?

MS. COADY: Now.

MR. SPEAKER: Now.

On motion, a bill "An Act To Amend The Workplace Health, Safety And Compensation Act," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill 30)

MR. SPEAKER: The Deputy Government House Leader.

MS. COADY: Thank you, Mr. Speaker.

I'd like to proceed to Committee of the Whole with leave of the House, leave of my colleagues, and I believe we do have leave to move forward to Committee.

AN HON. MEMBER: Yes.

MS. COADY: Thank you.

Mr. Speaker, I move, seconded by the minister responsible for Service NL, that the House resolve itself into a Committee of the Whole to consider Bill 30.

MR. SPEAKER: It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider the said bill.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, 'nay.'

The motion is carried.

On motion, that the House resolve itself into a Committee of the Whole, the Speaker left the Chair.

Committee of the Whole

CHAIR (Warr): Order, please!

We are now considering Bill 30, An Act To Amend The Workplace Health, Safety And Compensation Act.

A bill, "An Act To Amend The Workplace Health, Safety And Compensation Act." (Bill 30)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clause 2.

CHAIR: Clause 2.

The hon. the Member for St. John's East - Quidi Vidi.

MS. MICHAEL: Thank you very much, Mr. Chair.

(Inaudible) under the second reading. I've got to get used to the regime there. But I did want to speak to the whole thing of the Maximum Compensable Assessable Earnings, or the MCAE, in the bill and the fact that the cap here in Newfoundland and Labrador is so much lower than in other parts of the country.

In Atlantic Canada, it is true that we are the highest. So for example, PEI, the cap is \$53,400; in Nova Scotia, it's \$59,800; in New Brunswick, \$63,600; and here it's \$64,375. That's up this year. But when we look at other provinces, we are very low. And I'm saying this knowing that there can be other factors that balance off what's happening in another province and what's happening here. But, for the most part, it's quite legitimate to say in Ontario, for example, the cap is \$90,300; in Manitoba, it's \$127,000.

Now, Manitoba does have a mechanism that balances that out a bit; nevertheless, they are still, even with that mechanism, way beyond where we are. In Saskatchewan, it's \$86,627; in Alberta, \$98,700. In actual fact, the Government of Alberta has introduced draft legislation that would remove the cap for injured workers. I think that's the point with Manitoba. The \$127,000 of compensable assessable earnings in Manitoba applies to the assessments only. When it comes to injured workers, there is no cap. So that's the point about Manitoba which makes it very interesting.

As I said, Alberta now has legislation on the books, or on the table, that would remove the cap. British Columbia, it's \$82,700. In the Territories, it's \$90,600 and in the Yukon, \$85,971. So when we're comparing what we've done about the cap here to what's happening outside of Atlantic Canada, we're not looking so good.

I heard both ministers mention we have to do it a step at a time, and I agree with that. We do have to do a step at a time. We can't do everything at the same time, but I really do believe that in the 2018 statutory review that's going to happen, that we should really be looking at the cap. We should be looking at what our CPI is here in Newfoundland and Labrador. Our inflation rate is pretty high. As I pointed out when I spoke in second reading it's, for the most part, almost every year higher and sometimes by a whole point than the national average CPI.

So I really do impress upon the minister that we really do need to look at the cap. I'd like to know if she is thinking of this and if she would be asking a statutory review to look at the whole cap issue and to look at what's happening elsewhere in Canada, not just in Atlantic Canada.

Thank you very much.

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

MS. GAMBIN-WALSH: I thank the Member for bringing the MCAE to the floor here, but I just wanted to make note of a couple of things for those at home who are listening. Present day, as in 2018, changes to MCAE cannot be retroactive because WorkplaceNL would not have collected the premiums to pay for the increase in prior years. While the Member spoke about the Maximum Compensable Assessment Earnings, the amount for each province, you also have to take into consideration the average employer assessment rate, and also the per cent of workforce that's covered.

For example, in Newfoundland and Labrador 97.6 per cent of the workforce is covered, so you have to be mindful of that, as in Ontario only 76.2 per cent; in Manitoba, 77.4; Saskatchewan, 71.3; Alberta, 84.4. So I'll certainly take into consideration everything that the Member has said, but you also need to take into consideration the potential cost into the future of PTSD.

As we discussed here, as I alluded to earlier, we're presently doing a review of the mental health policy at WorkplaceNL and also a consultation process is presently open and you will find that on the WorkplaceNL website,

anyone who wishes to contribute to the end of March, to PTSD, as PTSD pertains to the worker.

You have to take all of this into consideration as we move forward. There are a lot of moving pieces here, but I certainly hear what you're saying and I have no doubt that it will definitely be reviewed again.

CHAIR: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Thank you, Mr. Chair.

Minister, just listening to your comments that time about retroactive; so does this mean that anyone who's on the workers' comp right now they will stay at the 80 per cent and it's only new entrants that are going to go to 85? Also, I have another question and I'll ask you a couple of them so you can get up and do both of them the one time.

I look at the number of injured workers and we're talking 13,000, but I look at what the 5 per cent cost is going to cost government right now to implement this, at \$160,000. I'm wondering where that comes from. Also, in your printout that we got, your financial considerations it's called, it says there's no increase to the assessment rates to employers but no additional direct costs to majority of employers. So I'm wondering why it says majority of employers and not all employers.

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

MS. GAMBIN-WALSH: I thank the Member for the questions.

The increase to 85 per cent is for everyone, all injured workers and dependant spouses. The injury fund is fully funded and this is where the money will come, the \$160 million-odd – \$167 million actually. It will come from the injury fund, which is fully funded and very healthy at 126.1 per cent.

In actual fact, there will be a cost to government. Government is self-employed, self-insured, so there will be a cost to government.

CHAIR: The hon. the Member for Cape St. Francis.

MR. K. PARSONS: Just a quick question: Do you know what the cost is to government?

CHAIR: The hon. the Minister Responsible for WorkplaceNL.

MS. GAMBIN-WALSH: I have an idea, but I don't want to enter an inaccurate figure into the House.

CHAIR: Shall clause 2 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 2 carried.

CLERK: Clause 3.

CHAIR: Clause 3.

Shall clause 3 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 3 carried.

CLERK: Be it enacted by the Lieutenant-Governor and House of Assembly in Legislative Session convened, as follows.

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: An Act To Amend The Workplace Health, Safety And Compensation Act.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: The hon. Deputy House Leader.

MS. COADY: Mr. Chair, I move that the Committee rise and report Bill 30.

CHAIR: The motion is that the Committee rise and report Bill 30.

Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, that the Committee rise, report progress and ask leave to sit again, the Speaker returned to the Chair.

MR. SPEAKER (Trimper): The hon. the Chair of the Committee of the Whole.

MR. WARR: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 30 carried without amendment.

MR. SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed him to report Bill 30 without amendment.

When shall the report be received?

MS. COADY: Now.

MR. SPEAKER: Now.

When shall the said bill be read a third time?

MS. COADY: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, report received and adopted. Bill ordered read a third time on tomorrow.

MR. SPEAKER: The hon. the Deputy Government House Leader.

MS. COADY: Thank you, Mr. Speaker.

I ask my colleagues – with leave from my colleagues, I would like to call from the Order Paper, Bill 29.

Mr. Speaker, with leave from my hon. colleagues, I would like to have second reading of Bill 29 – first reading.

MR. SPEAKER: First reading. It is –

MS. COADY: (Inaudible) understand that it had not had first reading.

I would like to call from the Order Paper, Mr. Speaker, Bill 29. With leave of my colleagues, Bill 29, An Act To Amend The Labour Standards Act.

MR. SPEAKER: Did you move and second?

MS. COADY: No (inaudible) second reading.

You haven't called for a vote yet.

MR. SPEAKER: I would ask the minister to move and second.

MS. COADY: Mr. Speaker, with leave of my hon. colleagues, I call from the Order Paper, second reading of Bill 29, An Act To Amend The Labour Standards Act.

MR. SPEAKER: The hon. the Deputy Government House Leader.

MS. COADY: Mr. Speaker, I apologize for the confusion. I was not aware it was still in first reading.

Mr. Speaker, I call from the Order Paper, Bill 29, in first reading, An Act To Amend The Labour Standards Act. I move it, and it is seconded by the Minister Responsible for Municipal Affairs.

MR. SPEAKER: It is moved and seconded that the hon. the Minister of Advanced Education, Skills and Labour shall have leave to introduce a bill, entitled, An Act To Amend The Labour Standards Act, Bill 29, and that the said bill be now read a first time.

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

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against, 'nay.'

This motion is carried.

Motion, the hon. the Minister of Advanced Education, Skills and Labour to introduce a bill, "An Act To Amend The Labour Standards Act," carried. (Bill 29)

CLERK: A bill, An Act To Amend The Labour Standards Act. (Bill 29)

MR. SPEAKER: This bill has now been read a first time.

When shall the said bill be read a second time?

MS. COADY: Now.

MR. SPEAKER: Now.

On motion, Bill 29 read a first time, ordered read a second time, presently by leave.

MR. SPEAKER: The Deputy Government House Leader.

MS. COADY: Thank you.

Mr. Speaker, with leave of my hon. colleagues, I believe I have that, I call second reading of Bill 29, An Act To Amend The Labour Standards Act.

MR. SPEAKER: The hon. the Minister of Advanced Education, Skills and Labour.

MR. HAWKINS: Thank you, Mr. Speaker.

It's certainly my pleasure to stand –

MR. SPEAKER: Excuse me.

MS. COADY: Second reading.

MR. HAWKINS: Yes, I'm getting to that.

I'm moving the said bill, Bill 29, and seconded by the Minister of Municipal Affairs that it be read now the second time.

MR. SPEAKER: It is moved and seconded that Bill 29 entitled, An Act To Amend The Labour Standards Act, be now read a second time.

Motion, second reading of a bill, "An Act To Amend The Labour Standards Act." (Bill 29)

MR. SPEAKER: The hon. the Minister of Advanced Education, Skills and Labour.

MR. HAWKINS: Thank you, Mr. Speaker.

It's certainly my pleasure to stand today with Bill 29 and making changes to the *Labour Standards Act*. As you know, and as my hon. Members know in the House, we set minimum standards under the *Labour Standards Act* and this today is another situation where we're making some changes, really for the betterment of the folk in Newfoundland and Labrador and certainly protection under the act. I'm sure all of my hon. Members will support this change.

Mr. Speaker, the intent of these amendments is to bring our legislation in line with the recent changes that have been introduced by the federal government. The amendments will allow employees to attend to important life events by ensuring job protection and a source of income under this act.

Mr. Speaker, just in going back and referencing some of the other changes. Because really what happens is almost like a chain effect that federal legislation is changed, bills are enacted and then it's incumbent on us, as a Legislature, to make these changes within our legislation.

What happens, Mr. Speaker, is the federal Canada code is changed and that really, in essence, protects all federal employees and then that void is left when it comes to employees who are in the province. So it's important for us then, once those changes are enacted federally, to make sure that our provincial employees are protected and then we in turn make the changes to our provincial legislation.

Mr. Speaker, I go back and I reference, really, probably the most recent changes that we made in December 2016. Our government introduced amendments to the *Labour Standards Act* regarding compassionate care leave. That really came as a result of federal legislation changes. At that time, we proposed an increase to compassionate care leave provisions from eight weeks to 28 weeks to bring our legislation in line with recent changes that were introduced by the federal government.

Mr. Speaker, the circumstances regarding these amendments are much the same as those in play today, and the reasons for bringing further amendments forward. In January of 2016, the Government of Canada enhanced access to compassionate care benefits under the EI program from six to 26 weeks. In addition, the period during which the leave could be taken was expanded from 26 to 52 weeks.

Mr. Speaker, the federal government also introduced changes to the *Canada Labour Code* to provide up to 28 weeks job protection for federally regulated employees. The amendments to the *Labour Standards Act* for compassionate care leave were done to align our legislation with that of the federal government. This is the same circumstance that we are addressing today, actually taking federal regulations, changes in their *Canada Labour Code*, and making the changes necessary to our *Labour Standards Act* to make sure we align with what the federal legislation is saying to protect employees that are employed within our province.

Just as we amended the legislation in 2016, we are proposing amendments today as it will have a great impact on the lives of people of this province who are facing challenging times. We continue to work with our federal partners to find the right balance to better support workers and the needs of employers. These proposed

changes align strongly with this government's commitment to work with and support employers, employees and unions to foster positive employment relations and work environments, which contribute to a stronger workforce and economic growth.

I'm sure, Mr. Speaker, that everyone in this hon. House will recall that in December 2016, Bill 53, An Act to Amend the Labour Standards Act passed unanimously. Our government still strongly believes that people should not have to choose between work and family during a difficult time. Once again, we are proposing amendments that support employers, employees and foster positive employment relations and work environments.

Mr. Speaker, we do that under legislation. One of the things and responsibilities that I have as minister, sometimes it's somewhat difficult in that I have to be rather impartial and that I've got to really protect both employers and employees at the same time. That, at times, could be certainly a challenge. This also contributes to a stronger workforce and it contributes to economic growth. I look forward to the support of all the hon. colleagues on these important amendments to the *Labour Standards Act*.

Mr. Speaker, in April of 2017, the Government of Canada introduced Bill C-44 the *Budget Implementation Act, 2017, No. 1*, which included changes to the employment insurance benefits under the *Employment Insurance Act* and amendments to the *Canada Labour Code* to ensure job protection for federally regulated employees to access the new EI benefits.

The new EI benefits came into effect December 3, 2017. Once they came into effect, Mr. Speaker, it was incumbent upon us, as a government, to ensure that our employees received the same protection as federal employees under the EI benefits act and under the *Canada Labour Code*.

The following improvements were made to better support workers who take time off work due to specific life events. Mr. Speaker, we all know that from time to time certain things happen that place employees somewhat in precarious situations. Unless they are protected

by the act, sometimes it does leave interpretation from an employer or from the employee.

When we look at people that are faced with probably some of the most difficult times in their life, it could be the illness of a child or taking care of an elderly, these are situations, times when these employees should not have to worry about job protection. These are times when these people, when they need it most, should have benefits that they don't have to worry about the financial aspects, and they can really put their attention where it's needed at that particular time.

As a result of the changes that were made under the *Canada Labour Code* and also under the EI act back in December by the federal government, to make sure that people, employees, would not have to face these uncertainties, would not have to deal with these situations, they made the changes that are necessary to ensure that individuals, employees, now have that protection.

Well, Mr. Speaker, it's not good enough that these protections are just for federally employed employees. It is important and incumbent on us, as a Legislature and as a government, to ensure that the same benefits or improved benefits – as will be the case in one situation that we have here; we do have, in fact, better benefits than the federal government, but at least the minimum standard. We have to ensure that we have the same benefits or better benefits for our Newfoundland and Labrador employees.

The expansion of the parental leave, so parents can choose the option that best meets their family needs, standard parental benefits taken over 12 months or extended parental benefits taken over 18 months; the expansion of eligibility to care for a critically ill child to include immediate and extended family members; and the introduction of a new benefit of 15 weeks for caregivers who provide care to critically ill adult family members. Mr. Speaker, we feel that as the federal government has implemented these changes, that it's important for us as well to make sure that these changes are implemented within our Legislature in a timely manner.

I am sure, I am very confident, that all of my hon. Members opposite will see that these are significant changes and they are important changes that will address some of the issues and concerns that people within this province have had. The protection now, Mr. Speaker, will be for our employees as well that are employed in the province.

The amendments will also make a change, Mr. Speaker, and will allow nurse practitioners to sign medical certificates for existing and new leaves to help simplify the process. I think that makes it very necessary, particularly in areas that may be outside of urban areas and rural areas of the province where easier access may be to nurse practitioners. This now gives nurse practitioners the ability to sign these medical certificates and, certainly, any new leaves, these nurse practitioners will have the ability to do that.

Mr. Speaker, historically, when changes are announced to the *Employment Insurance Act* or the *Canada Labour Code*, the province reviews the changes to determine whether a corresponding amendments to provincial legislation are required. We have done that. We have looked at some of the implications it could have. We fully understand that within the *Canada Labour Code* and with the *Employment Insurance Act* that these changes are somewhat significant. However, we feel that they are benefits that these employees are entitled to, and they are benefits that will improve their way of life. They are improvements that will be made at a time when some of these folk need it the most.

The *Labour Standards Act* establishes, as I mentioned before, the minimum terms and conditions of employment in this province, the minimum standards. The act was most recently amended in 2016 to align with changes at the federal level and increase the compassionate care leave provisions from eight weeks to 28 weeks.

Mr. Speaker, the amendments to the *Labour Standards Act* before the House today will once again align our legislation with that of the federal government and will ensure job protection for provincially regulated workers who are providing support and care for their family members. This, Mr. Speaker, is truly

good news for those family and family members providing support and care for their families.

Previously, only physicians were able to verify entitlement to various leaves under the *Labour Standards Act*. Through these amendments, nurse practitioners will be able to sign the necessary medical certificates and will ensure consistency with the *Canada Labour Code*.

Parents will now have two options for receiving parental benefits, and I might add, Mr. Speaker, that these amendments will not require extra expenditure. The way in which it's framed, it's over a longer period of time with less amounts of money but will give that option to parents. Parents will now have two options for receiving parental benefits: standard parental benefit, 35 weeks of benefits over a 12-month period; or extended parental benefits, 61 weeks of benefits over an 18-month period.

By amending the *Labour Standards Act* to increase the amount of parental leave to 61 weeks, parents will be assured of job protection, enabling them to choose the EI benefit that best meets the needs of their family. The *Labour Standards Act* currently provides parents with critically ill child care leave. These amendments will provide not just parents but also immediate and extended family members with job protection, should they need to take time off work to care for a critically ill child.

Mr. Speaker, we all know that certain situations arise from time to time when we do have children that are sometimes critically ill and the time they need it is a time when parents should be able to provide that care for their family. This legislation now will enable extended family members with the opportunity to provide the level of care at a time when their child is critically ill. That, Mr. Speaker, in itself, I'm sure we all agree, will take a lot of pressure from these families who no longer have to worry about whether a job will be waiting for them when they get back. This will provide job protection for these families.

Finally, Mr. Speaker, we are introducing critically ill adult care leave as well, providing up to 17 weeks of job protection for employees who need time off work to care for a critically ill adult who is a family member. Imagine, if your

loved one became gravely ill, I'm sure that each of us would want to spend as much time with them as possible to help comfort them and to care for them. This change, Mr. Speaker, in the legislation will enable family members the opportunity to spend quality time with their critically ill adult in the time and the days when they most need it.

These amendments will help Newfoundlanders and Labradorians deal with and adjust to specific life events such as giving birth, adopting a child or caring for a critically ill individual. With these amendments, they can now focus on family rather than worrying about job security.

That is why our government is proposing these amendments, as it will have a positive impact on the lives of the people of this province. These amendments align with the realities of today's labour market and address the needs of families.

We continue to work with our federal partners to find the right balance to better support workers, improve mental health in the workplace and meet the needs of employers, given the changing nature of work. These proposed changes align strongly with this government's commitment to work with and support employers, employees and unions to foster positive employment relations and work environments, which contribute to a strong workforce and to economic growth.

Mr. Speaker, I am very confident that this bill will satisfy quite a number of people who are working, employers, employees and unions. While there may be some concern from an employer's aspect of finding replacements or potential replacements while there are opportunities for extended leave, I am very confident that all employers will find a way in which we can work with employees and families during these very difficult times, which we can provide the security that these families need –

AN HON. MEMBER: (Inaudible.)

MR. HAWKINS: Sorry, Mr. Speaker, but I heard my House Leader make a comment and I will listen to him.

Anyway, Mr. Speaker, it will give the families an opportunity, at this time, to be able to have

security in knowing that they will have job protection.

Mr. Speaker, as we engage in some discussion on this bill, again, I look forward to my colleagues and comments they might have. I am confident that we will all agree that these are significant changes that are made for the protection of employees in this province.

I thank you for the opportunity to speak to the bill. I certainly invite other hon. Members to share their perspectives.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Conception Bay South.

MR. PETTEN: Thank you, Mr. Speaker.

I want to thank the minister for providing the briefing last week to our staff. Actually, I had intended on making the briefing myself, but something unexpected came up. Our staff went there and I want to thank his officials for providing a good, comprehensive briefing.

I don't anticipate talking too long on this, Mr. Speaker, because it's a routine piece of legislation that's bringing our *Labour Standards Act* in conformity with the federal *Canada Labour Code*. These amendments were made; it's a lot to do with the EI eligibility, to bring ours in to conformity with the federal government.

Some of these changes – Mr. Speaker, one, in particular, is enabling nurse practitioners to sign medical certificates for EI benefits. That's a good change, whichever angle you look at it from. It's good; it may create some efficiencies within our family practices. Our medical doctors, their days are pretty busy dealing with a lot of routine matters. None of this stuff is routine but it's nice to see that this can create more efficiencies.

Any time in our health care system we can see efficiencies created, even if it's for a medical certificate for EI benefits, no matter what it is, if it's medically related, I think that's a good thing.

I think that change is going to benefit everyone involved.

As for the expansion of parental leave, the expansion of benefit eligibility for care for a critically ill child and benefit for caregivers of critically ill adults, as I said, all these changes are routine in the sense of they are important, but they're not something that we have any issue with. We think, for the most part, it's necessary items that need to be done to bring us in line with the federal government.

There are a couple of things, though, when I'm listening to the minister speak there that probably – as I'm reviewing it, and I've reviewed it prior to now. We're expanding leave from 35 to 61 weeks but we're not expanding the benefit. The benefits remain the same.

I know this is not an issue for this House, but I think those are areas where maybe, as a government opposite, they can probably lobby for people for the parental leave, to be able to extend the benefits, increase the benefits. That is a very challenging time, financially challenging for families during that period of their life. Increasing benefits somewhere on that nature is never a bad thing. It's something I encourage government should advocate to see benefits increase. It's nice to see 35 to 61 weeks. It would be nice to see those benefits go accordingly with the increase in the number of weeks, Mr. Speaker.

As for the other two, like parental leave, but the critically ill child and critically ill adults, those changes are good changes. I guess it's indicative of changing family models. There was a time when this was unheard of. If you have a critically ill child, you had to leave your job. You had to give up work. Most people would have to leave – we heard tell of it many times over the years, people having to leave work to stay home and look after their child or their mom or their dad or their husband or their wife.

It's good to see those things done by the federal government. Again, it's EI eligibility and it's something we have no – of course we have a choice, but as a province we have to kind of stay uniformed in keeping with the federal government with these benefits. I guess the point I make there is that these changes were done and

needed to be done in keeping – just a reflection again, it comes back to – and I referenced just then about the benefits to the parental leave, it's 35 to 61 weeks. It's also two areas I think, again, where government could probably focus a lot more attention on to those families.

We're in a culture where people are in need. Those are some of the more vulnerable and some of the people in our society who need that helping hand. These changes are great. It does help those situations. We all deal with them as elected officials in our own individual districts. People are struggling in these environments, whether it be a sick parent, a sick child. They're struggling, but every one of them are struggling. That's the key word, they're struggling.

So I think it would be – again, I encourage government. These changes are good and we support them, but never lose sight of the fact that those people are in need and will remain in need even after these changes. We need to as a government, and I guess all of us here in this House. We need to never lose sight of the importance of helping those people every day, not just today with changing legislation but every day, whatever we can do to help. We should all be supportive of that.

On that note, Mr. Speaker, I have nothing else to add to that. I could go on for a long time but in the new rules of keeping and being repetitive, I'm not going to do that.

I want to thank you for the time and thank the minister for bringing this forward.

Thank you.

MR. SPEAKER: The hon. the Member for St. George's - Humber.

MR. REID: Thank you, Mr. Speaker.

I just wanted to take a few minutes to add my voice in support of this bill today. It's a very important bill. There are a number of very important changes to the legislation here for people who want to take part in compassionate care.

Compassionate care leads to stronger families. It leads to stronger individuals and a stronger

society. That, of course, leads to a stronger workforce as well. So it's a case where good, social policy also is good economic policy. I'm very pleased with these changes that the minister and others in Cabinet are bringing forward here to this House. So it's very important and I'm pleased to hear that these changes are being made.

I want to just take a few minutes to focus on another main principle of this piece of legislation, and that is in relation to nurse practitioners and the important role that they play in our society in our province here and the way that this legislation changes the role that nurse practitioners have here in our society, and the growing importance of nurse practitioners in this province in providing medical care.

Previously, people would have to have a doctor to sign the certificate they needed to qualify for this compassionate leave. Now this piece of legislation changes it to allow for nurse practitioners to fill out the certificates to provide the notes and the paperwork that is necessary for people to qualify for this compassionate care that is being expanded.

This is a very important change to the legislation. It's very important to see the role that nurse practitioners play is expanding. Nurse practitioners are becoming an increasing part of health care delivery in rural areas of this province, particularly in my district. You have a number of nurse practitioners who are doing this. I've talked to them in the past about this type of issue where nurse practitioners are unable to provide the type of documentation and paperwork that they need. So I'm pleased to see that this piece of legislation is addressing that issue. I'm pleased to hear that changes are happening at the federal level as well.

I've talked to the Minister of Health and he's been very supportive in making these kinds of changes and bringing about the added duties that a nurse practitioner can make, and the positive impact that has on people's lives in rural areas of this province in particular.

I just wanted to make those points in relation to this piece of legislation. I want to commend the minister for bringing this legislation forward and say that I support the changes, not just because

of the increased compassionate care, which is a very important part of it, but also because of the increased role of nurse practitioners and the ease in delivery of these services in rural Newfoundland.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Member for St. John's East - Quidi Vidi.

MS. MICHAEL: Thank you very much, Mr. Speaker.

I'm quite pleased to stand and speak to Bill 29, which is an amendment to the *Labour Standards Act* dealing with leave in different ways. I think it's an extremely important bill. Now, I recognize the provincial government has had to bring this bill in because of changes on the federal level, changes to the *Employment Insurance Act*, which provides paid leave, and changes to the *Canada Labour Code*, which protects employees' jobs when they have to take leave.

What I really like about the bill, number one, is that it is going to make life easier for employees and for their families as well, starting with even just what looks like a small thing, and that's the signing of certificates. I have heard stories of people having to wait weeks to get a certificate signed by a doctor. So I think is excellent that nurse practitioners can sign certificates.

The minister is correct; I think this probably is more relevant in rural Newfoundland and Labrador than in urban, because nurse practitioners have a more particular role in clinics, for example, in rural Newfoundland and Labrador. But not matter where it is, the very fact that it will be easier for employees to get their certificates signed and not have long waits for that to happen is extremely important.

The same thing with the parental leave; the more that we can do to help parents be able to be there for their children when they're first born or first adopted is extremely important. It has to do with the whole life-work reality principle that we've talked about here in the House, especially in the House Management Commission, for ourselves, looking at the issues of life-work balances. As a society, we can only benefit if we have parents

being able to take longer parental leave. I think the longer they can be with their children in the beginning, the longer they can afford to not be working so that they can be with their children, has to have a long-term benefit for us. Because from the minute the child, some say, is even conceived and in the womb, their learning and their education begins, their development begins. Having parents being able to have job protection, to be able to have paid leave and now a much longer paid leave than they have is excellent.

The same way with being able to take time, again, paid time, being able to take time knowing your job is still going to be there if you have a critically ill child, and the fact that there are others in the family who can help with that child. This is something that I think is really important. We have a few places, a few laws and regulations in our home care, for example, where we don't recognize the role of family members in care.

I'm really delighted to see this because it does recognize the role of family members in care and it's more than parents for various reasons. Sometimes it's grandparents, it's aunts, it's uncles, it's other members of the family. Sometimes it could be a really close friend who is almost like a family member, but especially having other family members eligible for the leave is very, very important. Again, it shows a caring society. It has to do with a recognition that our whole social community is responsible for families, what happens within families.

I'm delighted to see also the leave for caregivers of critically ill adults. Again, for the same reasons I've said, it's a sign, especially now, where we have people living longer, where we're getting older as a society. We have more elderly parents who are at home who get critically ill towards the end of their lives very often.

It was only the other day I heard of somebody in her 80s that doing wonderfully well and then, all of sudden, overnight everything changed. Then, death comes fairly quickly when that happens to elderly people. If we're going to try, in other policies, to keep our elderly people at home and be cared for at home, then we need a policy like this as well that family members can be there

with them when the ends comes, when they start getting critically ill.

We don't know, the end doesn't always come when they get critically ill. So they could be critically ill and not die, but the very fact that you have a family member who requires extra care, the fact that we're there with the resources we have as a country and as a province to support them is extremely important.

I think we actually do need to be looking, both as a province and federally – and the province can feed federal thinking. We should be looking more widely at reforming our employment insurance system to cover more circumstances and more people. That's what it's there for. It's there to help keep people working. That's why I understand the name change from UI to EI. That is based on getting people employed and helping to keep people working.

Making sure their job is there, making sure no employer can get rid of a position while somebody is on paid leave under these rules, is a way of making sure they will still be employed. So it's using the EI system the way I think it was meant to be used. I think we can broaden how that might happen and I think this is a time, maybe, for us to be thinking about that.

I just have a couple of other points I'd like to make. Just give me one minute here.

Yeah, I think I've made most of them. The big one being that we are lockstep with the federal government. I think it's absolutely important that's the case. I think we should continue working with the federal government in looking at how we can make our benefits better for people.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. the Member for Mount Pearl - Southlands.

MR. LANE: Thank you, Mr. Speaker.

I'm not going to take very long or repeat everything that's been said. Obviously, this piece of legislation makes sense. It's in line with

what the federal government is doing in terms of the increase in maternity leave, parental leave, whatever you want to call it.

Also for persons entitled to be able to take care of a critically ill child or to take care of a critically ill adult, the federal government have come forth with changes in their legislation that provides for families from a financial point of view. What's being done here, of course, is to somewhat mirror that legislation or that concept in the provincial labour law so that if people avail of the leave and the benefits they're entitled to federally, from a financial point of view, that they are protected under provincial labour laws. Their employer has to provide that to them, and they can't be replaced or fired or let go because they apply for that particular leave. Obviously, that's important.

I think these federal changes that have been made, as has been said, are positive; certainly, when we think of taking care of critically ill adults, as the Member for St. John's East - Quidi Vidi has sort of referred to. We do have an aging population and we do want to try to keep people home as long as possible. One of the ways we can do that is to allow for family members to take care of their moms and dads or grandparents or whatever in their time of need and to put systems in place to allow that to happen. Obviously, that would be something I think we would all support.

I will say in terms of the – it's I guess in the spirit of what we're doing here. Again, as has been referenced by the Member for St. John's East - Quidi Vidi, this is good legislation. The federal legislation that it is mirroring is good legislation, but there are other circumstances and situations that we need to be mindful of.

I do want to reference a situation with a constituent in my district. It was a very public story of a lady who was terminally ill. She was self-employed, operated her own convenience store in my district. She was critically ill with cancer, terminally ill. In the end, financially things worked out because I guess by an act of faith, if you will, she actually won the lottery. I'm sure Members can remember that story that was in the media. She actually won the 649. Unfortunately, she didn't win her battle with

cancer, but her two sons were looked after in the end I guess. She was a single mom.

In her situation, had that not have happened, she would have been in financial straits. Because what do you do in the case of someone like that who is self-employed and now they've come down with a critical or terminal illness. Had this not have happened, she could have been in a situation where perhaps she would have had to sell her home. Here's somebody who's terminally ill and having to actually sell their home. In your final days you want to stay in your home. You have to sell it because you can't afford to pay the mortgage and to pay the heat and light, the bills and so on.

That's another situation and certainly one that the family – it's something she fought for and her family is continuing to fight. I will be working with our federal MP, Seamus O'Regan, and hopefully bring in some changes federally to address that type of situation as well.

With that said, these are good changes. The provincial piece, as I said, mirrors that, which is good and is required.

The only other piece in there outside of that is the utilization of a nurse practitioner. Obviously, in terms of our health care system there seems to be a move afoot by our provincial government to utilize nurse practitioners more, particularly in rural areas. That's certainly something I support and glad they are moving in that direction, because I think there are definitely opportunities to have other health care providers work at their full scope of practice and to be able to address some of these issues that we have with our health care system. This is allowing the nurse practitioner to be involved directly in the process here in terms of the signing of certificates to avail of these benefits. Again, that makes good common sense to my mind at least.

I'll be supporting this bill 100 per cent, and thank you minister for bringing it forward.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. the Member for Fortune Bay - Cape La Hune.

MS. PERRY: Thank you, Mr. Speaker.

(Inaudible) I did want to stand in support of this bill with my colleagues. I think it's a very important bill for the people of the province and the people of the country.

As my colleague for Conception Bay South and others have explained here this afternoon, we are now coming in line with the federal changes that have been implemented here in Newfoundland and Labrador.

I just wanted to speak for a moment about them because they really do make a difference in the lives of people. I know looking at my own family, I have a sister-in-law, she had stopped having her children actually by the early '80s, but in those days there was no such thing as parental leave. She had her eighth child on a Monday and she was back to work in her garage, which she ran, the next morning. That's the kind of thing women did back in the day, women who wanted to work, because they didn't have the opportunity to be able to stay home and take care of their children.

To see expansion to parental leave for both mother and father is certainly fabulous. To see expansion of the benefit eligibility for caring for critically ill children is fabulous.

I'm also really pleased to see the nurse practitioners having the opportunity to sign off on medical certificates. I think that's going to make the system much more efficient. I know working as an MHA with a lot of people who find themselves in the situation of needing care, sometimes there can be a significant wait in having the proper paperwork done. So adding a nurse practitioner to the scope is certainly going to enhance the ability of people to access the funding with less stress.

Mr. Speaker, the other one I wanted to talk about a little bit is the new benefit for caregivers of critically ill adults. That one as well is very important to see. We live in a generation where many people are not having children, won't have children to look after them. It may be cousins, it may be friends or it may be nieces and nephews. So opening up the benefit for caregivers of critically ill adults, I think, is going to significantly enhance the lives of our critically ill citizens in this province by enabling them to have people who they know love them and who

are well known to them will be able to care for them.

Again, speaking of personal examples, when my mother was critically ill and in her dying days there was no such thing at that time as compassionate care leave. That was only back in 2006, 2007. I worked a 60-hour a week job in those days and I'd come home from work – I had five hours of home care; that was it. I'd get off work at 5 and instead of going home to my husband and my house, I would go and stay with my mom. And I did that for five years. Don't regret a minute of it, and I'd still be doing it today if she were still here. But to see such a benefit – there were days when she'd look at me and she'd say, I don't know, Tracey, who's going to see St. Peter first, you or me, because I was exhausted.

But it's a fabulous thing to see, I think it's going to make a difference and it's a bill that we're all certainly very pleased to support.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: If the hon. the Minister of Advanced Education, Skills and Labour speaks now, he will close debate.

The hon. the Minister of Advanced Education, Skills and Labour.

MR. HAWKINS: Thank you, Mr. Speaker.

I'd certainly like to thank the hon. Members of the House for sharing their views. I fully understand the passion at which they did so. I'd certainly like to recognize the Members for Conception Bay South, St. George's - Humber, St. John's East - Quidi Vidi, Mount Pearl - Southlands and Fortune Bay - Cape La Hune.

Mr. Speaker, while I was listening, particularly to the Member for St. John's East - Quidi Vidi, she certainly expressed what I was feeling as well when I looked at those changes. Because I think they're significant changes at times, as I've mentioned earlier, when we most need this support, and certainly now this particular change will give us that much-needed confidence that

we will be able to take care of our family in a time when it's needed.

I'm encouraged by the support from the hon. Members and my colleagues for working for the people of this province. Dealing with the modern demands of work, of life and family can be challenging enough without the added fear of losing a job. This bill, today, supports working Newfoundlanders and Labradorians by ensuring that they have job protection and a source of income from the federal EI program during these important life events.

Mr. Speaker, thank you for giving me the opportunity today. I certainly look forward to the passage of this bill.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Is the House ready for the question?

The motion is that Bill 29 be now read a second time.

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

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

This motion is carried.

CLERK: A bill, An Act To Amend The Labour Standards Act. (Bill 29)

MR. SPEAKER: This bill has now been read a second time.

When shall the bill be referred to a Committee of the Whole House?

MR. A. PARSONS: Tomorrow.

MR. SPEAKER: Tomorrow.

On motion, a bill, "An Act To Amend The Labour Standards Act," read a second time,

ordered referred to a Committee of the Whole House on tomorrow. (Bill 29)

MR. SPEAKER: The Government House Leader.

MR. A. PARSONS: Yes, Mr. Speaker, given the hour of the day I would move, seconded by the parliamentary assistant for the Department of Fisheries and Land Resources, that the House do now adjourn.

MR. SPEAKER: It is moved and seconded that this House do now adjourn.

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

All those in favour?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against?

This motion is carried.

This House stands adjourned until tomorrow at 1:30 o'clock.

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 1:30 p.m.