

Queen's Park notes

FOLLOW US  @Mobilepk

For the week of February 17-20, 2015

ELECTIONS ONTARIO REPORT ON SUDBURY BY-ELECTION

The Legislature resumed this week with the introduction of the newest MPP, Glenn Thibeault from Sudbury. Thibeault won the February by-election for the Provincial Liberals after leaving his Federal NDP MP post to be the Liberal candidate in the by-election forced by the resignation of NDP MPP Joe Cimino. Barely in his chair, Thibeault witnessed the opposition parties spend the first two days of Question Period concentrating on the way Premier Kathleen Wynne had selected him as the Liberals' candidate. Both PC interim Leader [Jim Wilson \(Simcoe North\)](#) and NDP Leader [Andrea Horwath](#), referencing an ongoing Ontario Provincial Police investigation, accused the Premier and her party officials of offering a bribe to the Liberal's 2014 general election candidate, Andrew Olivier, to step aside and support the nomination of Thibeault as the Liberal candidate. The two opposition leaders pointed to two audio tapes released by Olivier as proof of bribery. The [first audio](#) featured a local Liberal advising Olivier that Glenn Thibeault had agreed to be the Liberal candidate and that the Premier had wanted to talk to Olivier about future options. The [second audio](#) featured a conversation between Olivier and Patricia Sorbara, the Premier's Deputy Chief of Staff. In it, Olivier advises Sorbara that he will not step aside to allow Thibeault to be nominated unopposed. Sorbara then proceeds to advise Olivier that the Premier can appoint Thibeault to be the candidate. Sorbara continues trying to convince Olivier to withdraw his potential candidacy citing Olivier's future involvement in the Liberal Party. By the end of the conversation, Olivier says that he will not step aside but is prepared to speak to Thibeault about the road forward including working for Thibeault in his constituency office. Thibeault and Olivier did meet but there is no audio tape of their conversation. As well, Olivier and Wynne confirmed that they had spoken but Olivier says he did not audio tape that conversation.

As Thursday's Question Period was about to begin, Ontario's Chief Electoral Officer, Greg Essensa, released a report entitled "[Report on Apparent Contraventions of the Election Act](#)" and that he would be referring the matter to the Deputy Attorney-General's office to decide if criminal proceedings should begin. With this report, the opposition parties' voices became even louder. The Premier responded by holding a [press conference](#) to defend herself and her staff. And instead of quelling the furor, the Premier's comments stoked them even more. The Premier re-iterated that she had the power to appoint Thibeault or any Liberal candidate and that she was only trying to keep Olivier involved. She said that she had personally gone through a sham nomination process in the past and did not want Olivier or any other candidate to experience the same. So, she tried to engage him rather than put him through a difficult process. Then the Premier turned her attention to the opposition parties and accused them of hypocrisy. She said that prior to the 2014 election, a number of opposition MPPs had approached her about government positions in return for not running again. She said she had refused those requests.

As the week concluded, it was unclear where this case will next go. With an ongoing OPP investigation and another one possible in the next few days, if not weeks, the Legislature will be consumed by this issue. Whether asking her Deputy Chief of Staff to step aside will quell the furor or not is unknown. What is certain is that Premier Wynne's much vaunted integrity will be bruised by this episode. Whether it is a minor blip or not is a question that cannot be answered yet. All that is certain, is the opposition has found an issue that they believe can harm the Premier's standing with Ontarians.

PHYSICAL AND SEXUAL EDUCATION CURRICULUM

PC Leadership Candidate Monte McNaughton (Lambton-Kent-Middlesex) led off Wednesday's [Question Period](#) saying that the consultation process for the government's pending update of the Physical and Sexual Education curriculum was too short and involved too few parents. McNaughton wants the process to be opened up to input from more parents. In response, Premier Kathleen Wynne (Don Valley West) said, "I'm not sure what the real agenda of the member opposite is. I'm not sure if the fear-mongering has more to do with his leadership campaign or whether it has to do with a very small group of people who want to stir up fear about the reality that kids need information. They need to understand how human beings relate to each other and they need to get that information based on science." She added that the new curriculum would be released within weeks.

McNaughton has made the pending changes to the curriculum a cornerstone of his leadership campaign urging opponents of the soon-to-be-announced changes to support his candidacy.

Interestingly, PC Education Critic, Garfield Dunlop (Simcoe North), did not attend Question Period when McNaughton asked his question, instead deciding to remain in his office. Dunlop has been very clear that he is not keen in opposing a revised curriculum.

By the end of the week, the Liberals announced that new curriculum will, in fact, be released on Monday morning and be implemented for the start of the next school year, 2015-2016.

NDP AND PC PARTIES UNITED AGAINST TORONTO SCHOOL CLOSURES

With Education Minister Liz Sandals demanding that the Toronto District School Board make changes to its governance and accelerate their school closing process, an unlikely ally has emerged to counsel restraint. Progressive Conservative Education Critic, Garfield Dunlop, has emerged as an advocate for schools as community hubs over the last weeks. [Dunlop says](#), "The Liberals have watched enrolment decline for the last decade, and instead of having a proper plan to make sure schools flourish as community hubs, they will now force boards to close schools and try to balance the Liberal budget on the backs of students."

Meanwhile, NDP Education Critic Peter Tabuns continues to fight against school closings by [adding](#), "The Premier promised not to impose these reckless, Harris-style school cuts. But the Liberals are breaking that promise and making up their own facts to justify school closures. Our community schools are too important to be jeopardized by these political games."

Sandals has said that she will continue to monitor compliance by the TDSB but, at this point, has not decided to appoint an investigator, or ultimately, a supervisor to implement her directives.

MINISTRY OF LABOUR PUBLIC CONSULTATIONS ON LABOUR LAWS

The Ministry of Labour [announced](#) that public consultations on labour laws and employment standards will commence this spring. The consultations will examine a number of workplace trends including:

- The increase in non-standard working relationships such as temporary jobs, part-time work, and self-employment
- The rising prominence of the service sector
- Globalization and trade liberalization
- Accelerating technological change
- Greater workplace diversity

As well, low-wage work will also be examined as part of the consultations.

Labour Minister Kevin Flynn (Oakville) has named C. Michael Mitchell, formerly of Sack Goldblatt Mitchell LLP, and the Honourable John C. Murray, a former justice of the Ontario Superior Court and prominent management labour lawyer to lead the consultations. Dates for the consultations have not yet been announced.

BILL 64, PROTECTING INTERNS AND CREATING A LEARNING ECONOMY ACT, 2015

NDP MPP Peggy Sattler (London West) introduced [Bill 64, Protecting Interns and Creating a Learning Economy Act, 2015](#), designed to create an advisory council on work-integrated learning and to extend provisions of the Employment Standards Act to co-op students and interns. Sattler believes that the recent changes to the Employment Standards Act do not do enough to protect unpaid interns. In an op-ed piece in the [Toronto Star](#) and, later, in the Legislature, Sattler says, “Under my legislation, secondary and post-secondary work-experience students and trainees will be covered by basic Employment Standards Act protections, such as limits on hours of work, guaranteed breaks, leaves of absence and vacation days.” As well, Sattler wants posters in workplaces outlining the rights of interns. She also wants to protect whistleblowers in her legislation. Sattler’s bill quickly passed first and second reading and has been referred to the Standing Committee on the Legislative Assembly.

SELECT COMMITTEE ON SEXUAL VIOLENCE AND HARASSMENT

The membership of the Select Committee on Sexual Violence and Harassment was released and ten MPPs including six Liberals, two PCs and two NDP are on it. The MPPs include Liberals Marie-France Lalonde (Ottawa—Orléans), Harinder Malhi (Brampton—Springdale), Kathryn McGarry (Cambridge), Han Dong (Trinity—Spadina), Eleanor McMahon (Burlington) and Diane Vernile (Kitchener Centre). The two PC members are Randy Hillier (Lanark—Frontenac—Lennox and Addington) and Laurie Scott (Haliburton—Kawartha Lakes—Brock). The NDP members are Taras Natyshak (Essex) and Peggy Sattler (London West) Committee will hold its first meeting on February 25. An interim report is due in June with a final report ready for December 2015.

ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT REVIEW REPORT

Economic Development Minister Brad Duguid (Scarborough Centre) received the recommendations of the review of the Accessibility for Ontarians with Disabilities Act (AODA) from provost Mayo Moran. The review was conducted on the 10th anniversary of the implementation of the Act. Included in his recommendations, Moran said that the government should repeal the Ontario Disabilities Act because it is a duplication of the AODA. Moran's [recommendations](#) include:

- Renew Government Leadership
- Enforce the AODA
- Resource and empower the ADO to provide robust compliance support
- Undertake a comprehensive public awareness campaign
- Clarify the relationship between the human rights code and the AODA
- Plan for new standards
- Encourage, support and celebrate accessibility planning beyond the AODA
- Improve AODA processes

In response to the recommendations, Duguid said that the government would renew its commitment to building an accessible Ontario by 2025.

STANDING COMMITTEE TABLES GAS PLANTS REPORT

After first appearing prominently in the 2011 general election, the gas plants fiasco may have finally ended with the release of Standing Committee on Justice Policy report entitled "[The Cancellation and Relocation of the Gas Plants and Document Retention.](#)"

As expected, the report has not resolved the issue of the billion dollars spent on relocating the gas plants from Mississauga and Oakville. Despite using their parliamentary majority to conclude the committee's work, the Liberals were unable to release a unified report instead releasing a report with a majority opinion and two dissenting opinions from the opposition parties.

In the majority report, the governing Liberals acknowledge mistakes but spread the blame to include the NDP and PC parties. First, on the issue of the Oakville plant, the majority report says, "The Oakville facility became an issue for political parties from all sides of the House in 2010. In a question to the Ministry of Energy on September 14, 2010, the Member for Halton, Ted Chudleigh, asked 'Will you listen to the people of Oakville, change your mind and move the location of this power plant?' Shortly thereafter, on October 18, 2010, NDP leader Andrea Horwath stated, 'New Democrats actually have thought for a long time that that plant should never have been built and we've said so.' And, on the Mississauga plant, the Liberals once again involve the opposition parties in the decision by writing, "The Mississauga gas plant became an election issue for all three parties, with local candidates sparring over who would or would not cancel the project. On September 24, 2011, Mississauga South PC candidate Geoff Janoscik stated, 'The only way to guarantee this power plant does not get built is to elect a Tim Hudak Ontario government. A Tim Hudak Government will cancel this plant.' And on September 26, 2011, the NDP Energy Critic Peter Tabuns also confirmed, 'We wouldn't build it.'"

The Liberal majority report identified four issues including Energy Planning, Integrating Energy Plans with Municipal Plans, Procurement and Siting Processes, and Document Retention as areas that broke down in the relocation process. They wrote that improvements in dealing with these four issues will mitigate any future problems.

The opposition did not concur with the Liberals' view stating strongly that the Liberals were solely responsible for the fiasco. The PCs said, "The Official Opposition agrees full-heartedly with the line that 'there was insufficient attention given to the concerns of citizens in Oakville and Mississauga.' However, it is important to note that that attention was solely deprived by the Liberal Government. They had every option to hear the concerns of both cities and their mayors but chose to ignore them on multiple occasions." The Tories as well felt that the committee's report was too hastily concluded and their sole recommendation was that the committee's work be allowed to continue. The Tories wrote, "Renew the mandate of the Standing Committee on Justice Policy to continue investigating the events surrounding the cancellation of two gas fired power plants in Mississauga and Oakville including alleged document deletion, document retention practices, and the ability to call witnesses to testify before committee even if they have already appeared." The NDP concurred with the PC's assessment by saying, "But perhaps the most significant – and troubling – aspect of the government's majority-imposed restrictions on the Committee's work is that it prevents those who can provide the clearest answers from testifying at Committee and before the police investigation into the matter has reached its conclusion." NDP MPP Jagmeet Singh (Bramalea-Gore-Malton) added, "This scandal began because the Liberals tried to cover up a billion dollar scandal, and this report is an attempt to cover-up the cover-up. The Liberals wasted \$1.1 billion to save a few Liberal seats in the 2011 election. They tried to hide it and they got caught red-handed."

While the committee's work may be done, the opposition parties continue to bring it up during Question Period. As well, with a police investigation still ongoing, this issue may still cause the Liberals great consternation.

MPPS FEDELI AND MACLEOD WITHDRAW FROM PROGRESSIVE CONSERVATIVE LEADERSHIP CONTEST

The Progressive Conservative Leadership contest is entering its final week of membership recruitment and the field has only three candidates remaining. During the winter break, Vic Fedeli (Nipissing) and Lisa MacLeod (Nepean-Carleton) both separately announced that they would be withdrawing and supporting Christine Elliott (Whitby-Oshawa). While preliminary membership numbers are not being released, it is believed that Elliott is the frontrunner over colleague Monte McNaughton (Lambton-Kent-Middlesex) and Federal MP Patrick Brown (Barrie). Elliott has the support of more than half of the PC caucus including MPPs Ted Arnott, Michael Harris, Lisa Thompson, Norm Miller, Jeff Yurek, Laurie Scott, Sylvia Jones, Todd Smith, Bill Walker, Lisa MacLeod, Steve Clark, Gila Martow, Ernie Hardeman, Julia Munro and Vic Fedeli. Patrick Brown has the support of three MPPs including Jack MacLaren, Rich Nicholls and Toby Barrett. Monte McNaughton has the support of MPP Bob Bailey. Membership recruitment ends on February 28 and a ranked ballot voting will be held on May 3 and 7. The winner will be announced in Toronto on May 9.

The [leadership vote](#) will not be a one-person, one vote but, rather, each one of the 107 ridings will be assigned 100 electoral leadership votes as long as they have a minimum of 100 voters. The electoral leadership votes shall be divided by the percentage of each leadership candidate's vote total. In ridings with less than 100 members, vote numbers will count as electoral leadership votes.

BILL 66, GREAT LAKES PROTECTION ACT, 2015

Environment and Climate Change Minister Glen Murray (Toronto Centre) introduced [Bill 66, Great Lakes Protection Act, 2015](#). Murray [said](#) that the Great Lakes Protection Act would help fight climate change, reduce harmful algae blooms and protect wetlands and other coastal areas. As well, it would monitor and report on the health of the lakes. Also it would bring people together to take action on priority issues. Finally, it would build on Ontario's leadership in protecting the Great Lakes, including our Great Lakes Strategy and partnerships with Canada, Quebec, U.S.A., and the Great Lakes states.

BILL 56, ONTARIO RETIREMENT PENSION PLAN ACT

After introducing [Bill 56, Ontario Retirement Pension Plan Act](#), in December, Associate Minister of Finance Mitzie Hunter (Scarborough—Guildwood) began second reading debate on the bill this week. The Liberals introduced the bill after failing to convince the Federal Government to make enhancements to the Canada Pension Plan. The Ontario government introduced the ORPP as a provincial plan to help Ontarians with their retirement savings. Hunter is also conducting meetings throughout the province to seek input from Ontarians.