

**Third Session – Forty-Second Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**  
**Official Report**  
**(Hansard)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-Second Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ADAMS, Danielle	Thompson	NDP
ALTOMARE, Nello	Transcona	NDP
ASAGWARA, Uzoma	Union Station	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian	Keewatinook	NDP
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy, Hon.	Kildonan-River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
DRIEDGER, Myrna, Hon.	Roblin	PC
EICHLER, Ralph, Hon.	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FIELDING, Scott, Hon.	Kirkfield Park	PC
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GORDON, Audrey	Southdale	PC
GUENTER, Josh	Borderland	PC
GUILLEMARD, Sarah, Hon.	Fort Richmond	PC
HELWER, Reg, Hon.	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek	Interlake-Gimli	PC
JOHNSTON, Scott	Assiniboia	PC
KINEW, Wab	Fort Rouge	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya	Notre Dame	NDP
MARTIN, Shannon	McPhillips	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
MOSES, Jamie	St. Vital	NDP
NAYLOR, Lisa	Woleseley	NDP
NESBITT, Greg	Riding Mountain	PC
PALLISTER, Brian, Hon.	Fort Whyte	PC
PEDERSEN, Blaine, Hon.	Midland	PC
PIWNIUK, Doyle	Turtle Mountain	PC
REYES, Jon	Waverley	PC
SALA, Adrien	St. James	NDP
SANDHU, Mintu	The Maples	NDP
SCHULER, Ron, Hon.	Springfield-Ritchot	PC
SMITH, Andrew	Lagimodière	PC
SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Vérendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
TEITSMA, James	Radisson	PC
WASYLIW, Mark	Fort Garry	NDP
WHARTON, Jeff, Hon.	Red River North	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC

## LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, November 23, 2020

*The House met at 1:30 p.m.*

**Madam Speaker:** O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom and know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

Please be seated. Good afternoon, everybody.

### ROUTINE PROCEEDINGS INTRODUCTION OF BILLS

#### Bill 67—The Public Health Amendment Act

**Hon. Cameron Friesen (Minister of Health, Seniors and Active Living):** Madam Speaker, I move, seconded by the Minister of Finance (Mr. Fielding), that Bill 67, The Public Health Amendment Act; Loi modifiant la Loi sur la santé publique, be now read a first time.

*Motion presented.*

**Mr. Friesen:** Madam Speaker, in the spring our government was pleased to be able to move quickly to limit workers in personal-care homes to one site in order to keep people safe.

We are introducing these amendments, which seek a legislative mechanism by which those same—the changes could be made in future in the event of a pandemic at the call of the public health chief.

**Madam Speaker:** Is it the pleasure of the House to adopt the motion? Agreed? [*Agreed*]

#### Bill 212—The Mandatory Training for Provincial Employees (Systemic Racism and Human Rights) Act

**Mr. Jamie Moses (St. Vital):** I move, seconded by the member for Burrows (Mr. Brar), that Bill 212, The Mandatory Training for Provincial Employees (Systemic Racism and Human Rights) Act; Loi sur la formation obligatoire des employés provinciaux (racisme systémique et droits de la personne), be now read a first time.

*Motion presented.*

**Mr. Moses:** Madam Speaker, we know that many people in Manitoba live through the negative impacts of racism in their everyday lives. We as leaders need to set ourselves on the path to ridding our communities of racism in all its forms.

This bill would require regular anti-racism training for provincial employees. This is an overdue step toward ending systemic racism in Manitoba, and I look forward to all members supporting this bill.

**Madam Speaker:** Is it the pleasure of the House to adopt the motion? Agreed? [*Agreed*]

#### Bill 217—The Legislative Assembly Amendment and Legislative Assembly Management Commission Amendment Act

**Hon. Jon Gerrard (River Heights):** Madam Speaker, I move, seconded by the honourable member for Tyndall Park (Ms. Lamoureux), that Bill 217, The Legislative Assembly Amendment and Legislative Assembly Management Commission Amendment Act; Loi modifiant la Loi sur l'Assemblée législative et la Loi sur la Commission de régie de l'Assemblée législative, be now read a first time.

*Motion presented.*

**Mr. Gerrard:** Bill 217 will change the definition of recognized opposition party to include political parties that are represented in the Assembly by two or more members, provided that the party's candidates received at least 10 per cent of the votes cast in the last general election.

Thank you. Merci. Miigwech.

**Madam Speaker:** Is it the pleasure of the House to adopt the motion? Agreed? [*Agreed*]

Committee reports? Tabling of reports? Ministerial statements?

### MEMBERS' STATEMENTS

#### Robert Roehle

**Ms. Janice Morley-Lecomte (Seine River):** I want to introduce everyone to an educator, an advocate, a community builder and a leader. Knowledge gained from work experience, travel and connection to community has benefitted many who have sought his advice and expertise.

Robert "Bob" Roehle was raised on a dairy farm in rural Manitoba. After graduating high school, he attended University of Manitoba, where he completed a master's in agriculture science. Bob's work with the Canadian Wheat Board provided opportunities to work in different countries, one being Japan, where he initiated and implemented a feed grains market development program. Travel would lead to ideas inspired by the different markets located in places he and his family lived.

Bob and his wife Judy would frequent the local ByWard Market in Ottawa, where he noted the interactions between the vendors and shoppers. Bob stated he wanted to build on this theme and was instrumental in establishing le Marché Saint-Norbert Farmers' Market Co-op.

The Saint-Norbert Farmers' Market is but one of the many areas Bob has lent his expertise to. Bob has been a pillar in the community and has volunteered on community boards, advocated for interest groups and held many volunteer director roles.

Group Action St. Norbert, Saint-Norbert Farmers' Market and the St. Norbert Foundation's community garden, the Duff Roblin park committee, Winnipeg Chamber of Commerce agri-business committee, Red River Exhibition Association foundation, Red River Floodway Authority and Pembina Active Living (55+) are but a few to identify.

Robert has received the Queen Elizabeth II Diamond Jubilee Medal, Mayor's BIZ Award, distinguished service award from the Canadian Association of Fairs and Exhibitions and been inducted into the Manitoba agriculture hall of fame.

I ask that we virtually acknowledge Robert's dedication to making communities stronger.

Thank you.

### **COVID-19 Safety Protocols for Schools**

**Mr. Nello Altomare (Transcona):** Today, I rise on behalf on all those who work in our schools, for all of those who have given everything that have kept our schools and our kids going to school. From custodians, to school secretaries, EAs, teachers and clinical staff, we owe them a great deal of gratitude.

Now, we need to match that commitment and match their commitment by keeping our schools safe by ensuring we provide the following: quick test processing, prioritization of test results for front-line workers. Fast-tracking COVID-19 test results for teachers and all support staff enables our adults in

schools to take the necessary steps to protect children and themselves. Like health-care workers' tests who are now fast-tracked, often with results in five hours, so should teachers and all support staff test results be available within the same time frame.

\* (13:40)

Appropriate personal protective equipment for all staff: if teachers are required to wear medical-grade PPE for crossing cohorts or assisting students when they become symptomatic, then PPE needs to be provided by this Pallister government. Teachers and support staff are essential workers and must, therefore, have appropriate equipment provided. Not doing so is irresponsible and puts educators, children and their families at risk.

Teachers and support staff should not be exempt from the self-isolating when a household member is symptomatic or waiting for COVID-19 test results. Exempting teachers and support staff from public health orders should not be used to manage the staffing crisis in our schools. We need to get creative to manage our staffing crisis, and exempting teachers from public health is not creative.

Madam Speaker, these are reasonable requests, and this government needs to show some leadership and respond in keeping our children safe, our educators and our communities as safe as possible in the remaining days and weeks of this crisis. Let's stand up and support our kids and all who work in public education and put in place these requests.

Thank you, miigwech, merci, Madam Speaker.

### **Jeannot Robert**

**Hon. Ron Schuler (Minister of Infrastructure):** I wish to recognize and pay tribute to a great Manitoban, Mr. Jeannot Robert.

Jeannot Robert has dedicated years of his time to volunteering and community service in both the towns of Ste. Agathe and the rural municipality of Ritchot. In addition to being a successful business owner, school trustee and municipal councillor for Ste. Agathe, Jeannot also served years promoting both the economic and residential development as a partner in a local residential subdivision.

Jeannot Robert is a visionary who has dedicated his life to improving the community of Ste. Agathe. In 1994, with Jeannot Robert as president, Ste. Agathe Community Development Inc.—CDI—was one of Manitoba's first community development organizations to become incorporated. In '97–1997, and the

year of Canada's flood of the century, under the leadership of Jeannot Robert, the CDI united the people of Ste. Agathe. Instead of accepting defeat from this high-water event, Jeannot and Ste. Agathe turned it into something positive. Residential development ensued, and Ste. Agathe is now three times the size it was before the 1997 flood.

Most recently, while still a councillor for the RM of Ritchot, Jeannot advocated for the Ste. Agathe fire hall on Highway 75, with dispatch supporting the RM of Ritchot and surrounding municipalities.

One of Jeannot's greatest legacies is the encouragement that he gives to the younger generations to get involved, stay involved in their community. He says the younger generation has been energized to take over, although he is still asked to be a part of the projects and committees for his knowledge and guidance.

Not only has Jeannot been an idealistic leader in his own time for his own generation, but he now leaves a legacy for younger generations that is willing to put in the volunteer hours and efforts that create the strong, close-knit community that is Ste. Agathe.

Jeannot Robert is also the recipient of the Manitoba 150 medal of volunteerism to honour his years of service.

Madam Speaker, I invite all members of the Legislature to honour Mr. Jeannot Robert for his years of service and leadership for the community of Ste. Agathe.

### **Transgender Day of Remembrance**

**MLA Uzoma Asagwara (Union Station):** Last week was Transgender Awareness Week. It's the week before Transgender Day of Remembrance on November 20th, when people and organizations around the country help raise the visibility of trans and non-binary people and address issues members of all of our communities face. Trans Day of Remembrance is an annual observance that honours the memory of trans people whose lives were lost in acts of anti-trans violence that year.

During this pandemic, I have been volunteering with Sunshine House, an organization that has led the way in creating safer spaces and self-directed visibility for so many targeted communities, including trans folks.

Last week, the government did not even acknowledge trans communities and during this pandemic has failed to speak to the ways in which

COVID has impacted those living on the margins of all of our communities. It's those very community members who have gone above and beyond to take care of those who would otherwise have gone forgotten by this Premier (Mr. Pallister) and his Cabinet.

With weekly food hampers, care packages, providing harm reduction supplies, COVID-19 education, fostering safe connection, Sunshine House is an example of what can happen when stigma and barriers are removed.

This year, I attended multiple vigils for trans and non-binary community members: heartbreaking reminders of what happens when stigma and barriers are not removed.

Every member of this House represents trans and non-binary people and makes decisions which can help or harm those communities. Respecting pronouns, supporting queer and trans school-based curriculum and 2SLGBTQ clubs, ensuring access to gender-affirming identification and reproductive health—it all matters.

Today I recognize all trans and non-binary Manitobans. Know that you are celebrated, that you are loved, that you are seen and that we will continue to fight for you.

To those that we have lost, we will remember you.

Madam Speaker, I'd like to ask for leave today to have a moment of silence for all of those who lost their lives this year to anti-trans violence.

**Madam Speaker:** Is there leave for a moment of silence? *[Agreed]*

Please stand.

*A moment of silence was observed.*

**Ms. Nahanni Fontaine (Official Opposition House Leader):** I apologize, Madam Speaker. There was a little bit of a glitch for the member for Transcona's (Mr. Altomare) member's statement. I'm wondering if there's leave to allow him to redo his member's statement?

**Madam Speaker:** Is there leave for the member for Transcona to redo his member's statement as there was a glitch during the technical recording? Is there leave? *[Agreed]*

Leave has been granted, but I would indicate I would put that after the next member in order.

### **Turtle Mountain Flywheel Club**

**Mr. Doyle Pivniuk (Turtle Mountain):** Madam Speaker, today I would like to recognize the Turtle Mountain Flywheel Club.

This club has—owns and operates a non-profit museum located in Killarney, Manitoba. The club has members from Cartwright down to Waskada, with a purpose to preserve the past in farm machinery and stationary engines. Most of their pieces of equipment have been donated by members and friends of this museum. The museum is unique in that it has not—it's not owned by the municipality rather than the club of the—member clubs.

The Turtle Mountain Flywheel Club is not just about agriculture, but it has both educational and historical elements. This is done with the restoration, collection and exhibits of agricultural machinery and equipment. It showcases farming from horse-drawn plows of the 1890s to more modern engine equipment from the 1960s.

Each year the museum hosts Prairie Pioneer Days. The first was held in Ninga in 1977. The club is financed from the profits of their annual show in July, their banquet in April, plus draws, donations and other fundraising events throughout the year.

Located on the junction of highways 18 and 3, the museum is a must-see tourist attraction. They have approximately 10-acre lot in Killarney, Manitoba. On the lot there will be—you will find a heated shop for restoring equipment, a storage shed, which houses many antique tractors, including 12 steel-wheel tractors and 18 rubber-tire tractors that all are in running order. They also have about 100 stationary engines, and then on-site there is a sling barn, filled with horse-drawn equipment. Outside there's several old combines and thrash machines.

All this is showcased year-round in—either during operating hours or by appointment. I would like to thank Stan Hicks and his group for taking me on an amazing tour of their museum this past September. We are proud to have this museum of this nature in the Turtle Mountain constituency and appreciate all the hard work and the elbow grease that the volunteers have spent to make this place a destination in our beautiful province, keeping the history of agriculture alive.

Thank you, Madam Speaker.

### **COVID-19 Safety Protocols for Schools**

**Mr. Nello Altomare (Transcona):** Today I rise on behalf of all those who work in our schools, for all of those who have given everything they have to keep our schools open for our kids. From custodians, to school secretaries, EAs, teachers and clinical staff, we owe them a great deal of gratitude.

Now we need to match the commitment of these Manitobans. We need to match their commitment to keeping our schools safe by ensuring we provide the following: quick test processing and prioritization of test results for these front-line workers. Fast-tracking COVID-19 test results for teachers and all support staff enables our adults in schools to take the necessary steps to protect children and themselves. Like health-care workers' tests who are now fast-tracked, often with results available in five hours, so should teachers' and all support staff's test results be made available within the same time frame.

\*(13:50)

Appropriate personal protective equipment for all staff: if teachers are required to wear medical grade PPE for crossing cohorts or assisting students when they become symptomatic, then PPE needs to be provided by this government. Teachers and support staff are essential workers and must therefore have appropriate equipment provided. Not doing so is irresponsible and puts educators, children and their families at risk.

Teachers and support staff should not be exempt from self-isolating when a household member is symptomatic or waiting for COVID-19 test results. Exempting teachers and support staff from public health orders should not be used to manage the staffing crisis in our schools. We need to get creative to manage this crisis, and exempting teachers from public health orders is not creative.

Madam Speaker, these are reasonable requests and this government needs to show some leadership, respond to keeping our children safe, our educators and our communities as safe as possible in the remaining days of this crisis. Let's stand up, support our kids and all who work in public education and put in place these requests.

Thank you, merci, miigwech, Madam Speaker.

## ORAL QUESTIONS

### Second Wave of COVID-19 Government Readiness

**Mr. Wab Kinew (Leader of the Official Opposition):** Now, Madam Speaker, I don't want the Premier to panic. You know, I know there's a lot of people—including the deputy leader of the Conservative Party of Canada—who's saying that the Premier is panicking, but I don't want him to panic.

In fact, I know he won't panic because, just this weekend, he asked Rosemary Barton to come up with a pandemic response plan for Manitoba. Those are clearly the words of somebody who's in charge, who's in control, who's definitely not panicking.

Unfortunately, under this Premier's leadership, we have another record-high case count today. We have personal-care homes asking for volunteers, begging family members to take care of loved ones, and all the while the Premier continues to blame others.

Will the Premier simply admit today that he failed to prepare Manitoba for the second wave of the pandemic?

**Hon. Brian Pallister (Premier):** Madam Speaker, I thank the member for raising the question of panic. Panic would be best illustrated by urging citizens of our province to pick up pitchforks and torches as a consequence of the challenges we face.

Madam Speaker, rather, we have a plan which we have been enacting throughout the summer, in terms of preparatory work, which we are enacting now, which I'm pleased to share with the House to some degree today, given the opportunity for a second response.

**Madam Speaker:** The honourable Leader of the Official Opposition, on a supplementary question.

### Southern Health Region Staffing Levels Reduction in Acute and Senior Care Staff

**Mr. Wab Kinew (Leader of the Official Opposition):** Madam Speaker, we know what the Premier did—besides panic, of course—in order to get ready for the second wave of the pandemic. He cut health care.

Now, we know that the Southern Health region is one of the hardest hit parts of the province at the current moment: 40 per cent test positivity rate over the past week and, of course, many issues around

staffing in personal-care homes and in some of the region's hospitals.

But what Manitobans don't know is that this Premier actually cut a few important positions in the Southern Health region leading up to this second wave, including the regional director for acute care and the regional director for seniors, palliative care and cancer care.

Now, that sort of seems like a panicky move to me, but perhaps the Premier would like to explain: Why would you cut seniors' care and why would you cut acute care right now?

**Hon. Brian Pallister (Premier):** The best indication of someone's willingness to panic, Madam Speaker, might be them deliberately going out and contradicting our provincial public health officer's recommendations in respect of testing. This is exactly what the Leader of the Opposition did during the summer while we were enacting restrictions in Westman area and making sure that we were heading off and reducing the number of contacts in that area.

Madam Speaker, that is what we're focused on. We're focused on fighting COVID. And, of course, rhetorical question to someone, asking them to come up with an idea, illustrates an openness that this government has had throughout this pandemic to listen.

The member opposite is open to come up with suggestions at any time and, of course, we'll listen. He asked for us to give him a briefing. We gave him a briefing and then he tape-recorded it without the notification of the people who gave the briefing.

**Madam Speaker:** The honourable Leader of the Official Opposition, on a final supplementary.

**Mr. Kinew:** Well, Madam Speaker, you know the blame game continues on the other side of the House, but I'll just bring the Premier back to the subject at hand, which is the fact that he cut seniors care and he cut acute care in the Southern Health region, and that was his idea of how to prepare for a surge in COVID cases that has seen seniors and acute-care centres hit particularly hard.

I'll table the evidence for the Minister of Finance (Mr. Fielding) to take a look at; perhaps he'd like to stand up for the people of Kirkfield Park rather than for his own party.

I'll also table a letter—[interjection]

**Madam Speaker:** Order.

**Mr. Kinew:** –from the Deputy Minister of Health which said that these cuts and the overall plan they're implementing will be, and a direct quote here, disruptive.

Why is the Premier and his Cabinet making disruptive cuts to Manitoba's health-care system during the pandemic?

**Mr. Pallister:** The member's partisan desperation and panic shows through in his questions again today, Madam Speaker. We are the No. 1 province in the country on investing in health care, education and social services; No. 1, bar none. And that was before COVID.

We've added—[*interjection*]—hundreds of millions of additional—

**Madam Speaker:** Order.

**Mr. Pallister:** –investments in health care specifically, of course, as most jurisdictions have during COVID. It is a fact—[*interjection*]

**Madam Speaker:** Order.

**Mr. Pallister:** –Madam Speaker, that members opposite try to deny through dull repetition of false statements, but of course what would you expect from an opposition that blockaded the House during a pandemic? [*interjection*]

**Madam Speaker:** Okay, order.

The honourable Leader of the Official Opposition, on a new question.

#### **Child Daycare Centres Distribution of Expired Masks**

**Mr. Wab Kinew (Leader of the Official Opposition):** Madam Speaker, I tabled the proof of the Premier's cuts. I tabled the deputy minister—the impartial civil servant—saying it was going to be disruptive. We would invite the Premier to respond to the subject at hand at any time or place.

Moving on to another important subject which the Premier has been putting false information on the record, I'd like to ask a question about child care. As I mentioned the last time we were in the Chamber here, child-care centres were given expired masks which, at best, were causing issues for their wearers, but at worst, perhaps didn't protect them in the way that we would want those masks to do.

Now, what compounded the injury is the fact that the department is asking child-care centres to prove that they have the bad masks before replacing them.

The Premier, of course, said that that was completely false in every respect.

I'll table an abundance of proof to the contrary and simply ask: Will the Premier apologize to the child-care workers that he defamed last week?

**Hon. Brian Pallister (Premier):** The investments in health care by this government, Madam Speaker, are two thirds of a billion dollars more, in this year's budget, more than the NDP ever invested.

Madam Speaker, the member opposite is desperate to score partisan points and it's, I suppose, left to the objective perusal of the citizens of Manitoba as to whether, in fact, he is wanting to help during this pandemic or simply cheering for COVID.

**Madam Speaker:** The honourable Leader of the Official Opposition, on a supplementary question.

**Mr. Kinew:** We've been pretty clear in terms of what we're advocating for here, Madam Speaker: a mask mandate in the summer, increased contact and testing capacity going back over the past number of months, and of course more resources in the early-childhood and the education sectors, of course.

But you know what actually helps COVID to spread? Confusion. Having a Premier who doubts the word of early-childhood educators. Having an Education Minister who cozies up to anti-vaxxers. Having a Health Minister who cozies up to anti-maskers, Madam Speaker. These are the things that cause confusion; these are the things that damage our ability to fight the pandemic. We—[*interjection*]

**Madam Speaker:** Order.

**Mr. Kinew:** –know that through those documents that I just tabled. Early childhood educators have been sending us emails from the department, proving that they are being asked to prove that they have the defective masks.

It's clear that the government screwed up.

Why doesn't the government just fix their mistake and let the early-childhood educators do their jobs?

\* (14:00)

**Mr. Pallister:** Misinformation by the member doesn't help in—at any time, Madam Speaker, most certainly not now. Contradicting our public health officials through the summer wasn't helpful at all. We've been focused on preparations throughout this exercise and prior to it.

The federal government assured us they'd provide us with necessary PPE early on, Madam Speaker. That failed to materialize, and so we went and we partnered with Manitoba small businesses to get PPE that was desperately needed. And I don't think it's appropriate to attack our civil servants for working their tails off to get that PPE because perhaps some of it wasn't as good as they might like now.

The fact is, none—having none, which was the option, otherwise, and would have most certainly been the option the NDP would have provided to the people had they been in power, was not a good option for anybody.

So, Madam Speaker, I don't think there's any—*[interjection]*

**Madam Speaker:** Order.

**Mr. Pallister:** —reason to do anything but congratulate the people of our civil service, who worked so hard to make sure that PPE was available here, and now we have enough that we can be confident it'll be there in the future, as well.

**Madam Speaker:** The honourable Leader of the Official Opposition, on a final supplementary.

**Mr. Kinew:** You know, the Premier's blame-everyone approach doesn't seem to be paying off for Manitobans. He just blamed Justin Trudeau, there. Previously, he's been blaming child-care directors; he's been blaming health-care directors. Over the weekend, he blamed the media. He wants to blame everybody except himself.

Let me be clear: I was blaming him in my question. That's who I was going after.

I'll table another document. Again, not only did the child-care workers have to go, you know, prove to the department that they needed the new masks, they had to go in on their days off, Madam Speaker, to go get the replacement masks.

Will the Premier and his Cabinet themselves take it upon themselves, accept responsibility for themselves to fix the mess that they've made for early-childhood educators?

**Mr. Pallister:** I think it's fair to note that the member continues a trend of blaming others.

He blamed Greg Selinger as soon as he had a chance. He blamed taxi drivers. He blamed Steve Ashton. He blames virtually everybody he can every opportunity that he can.

I just praised our front-line public sector workers, Madam Speaker. I'll continue to do that.

And I'll also say—*[interjection]*—and this is good news for the House, if member from St. John would care, for a change, to listen, with comprehension—*[interjection]*

**Madam Speaker:** Order.

**Mr. Pallister:** —would be a bonus.

Madam Speaker, the average number of contacts, according to our public health officials, when people were diagnosed positive with COVID, back in September was seven. The average number when we introduced the restrictions on October 18th was five. And the average number since the restrictions critical was declared for the city of Winnipeg—the good news is, because this is a stat that leads to an indicator on the future number of cases of COVID—the average since the critical in Winnipeg is two.

This is great news. Thank you to Manitobans. Thank you for not pillaging our shopping centres this weekend. Thank you for doing the right thing.

#### **Positive Cases of COVID-19 Contact Tracing and Follow-Up**

**MLA Uzoma Asagwara (Union Station):** Madam Speaker, the Premier's (Mr. Pallister) remarks this weekend on national media contrast what we've heard for some time about overwhelmed tracing, with contacts being notified weeks after contact, schools forced to do their own contact tracing because of a backlog, and, as reported by media, the Province is no longer regularly contacting those in self-isolation.

So I ask the minister: How many contact tracers are operating in Manitoba, and what percentage of contacts are being contacted within 24 hours of a positive test?

**Hon. Cameron Friesen (Minister of Health, Seniors and Active Living):** I thank the member for a question about how the government continues to invest in contact tracing and improve the situation.

I can inform all members that, in the space of less than one month, contact tracing capacity is up 30 per cent. Over 125 people have been on-boarded to assist with contract tracing, and new resources will continue to be added.

**Madam Speaker:** The honourable member for Union Station, on a supplementary question.

**MLA Asagwara:** Madam Speaker, Manitoba has hundreds of cases with no linked source of transmission. Our test positivity is through the roof at 14 per cent today and a record 543 cases.

Clearly, there's a breakdown in our ability to trace and control the spread of this virus, either through an inadequate amount of testing or contact tracing is just not keeping up with the surge. If we were widely testing and effectively tracing the spread of the virus, we would not be leading the nation in infections.

I ask the minister: How many public health nurses are doing contact tracing, and how many close contacts are put in touch with contact tracers within 24 hours of a positive test?

**Mr. Friesen:** Madam Speaker, the answer to the member's questions is more all the time. As a matter of fact, to address the issues, 134 new callers have been trained and are actively supporting this within—by the space of three days from now 134 callers more online, 200 callers from Statistics Canada trained and building capacity with the goal of managing additional 100 new cases per day within a space of just a few weeks.

Just another set of examples about how we're adding the capacity needed to keep Manitobans safe.

**Madam Speaker:** The honourable member for Union Station, on a final supplementary.

**MLA Asagwara:** Madam Speaker, you can't on one hand say that we have hundreds of cases with no known source of transmission and on the other hand say that testing and tracing is doing its job; it's not.

Preparations to deal with the surge needed to be in place before this happened. Instead, we faced weeks of backlogs in contact tracing without a large enough increase in testing.

I'll ask the minister again, Madam Speaker: Will he provide details for how many public health nurses we have doing contact tracing and what percentage of contacts are being called within 24 hours of a positive test result?

**Mr. Friesen:** Madam Speaker, the answer to the member's question is more all the time. In addition to these things, 50 public health nurses are now there seven days a week dedicated to public health COVID-19 case investigation.

But the member's information is inaccurate because the backlog that the member refers to was actually eliminated last week. Just another example of

the way in which this government continues to act to keep Manitobans safe.

### **COVID-19 Pandemic Response Government Support to Municipalities**

**Mr. Matt Wiebe (Concordia):** Manitobans are asking themselves right now, are you happy with the way that this government has handled the COVID-19 response? And the answer, of course, has been an overwhelming no. Everybody can see that the Pallister government has not done enough to prepare, and now they haven't done enough, of course, to respond.

For communities across the province, the government's approach has been this: to send letters to municipalities urging them to cut services and to lay off people.

The minister and the Pallister government are making a bad situation worse.

So, the question for the minister is quite simple. I ask her: Is she happy with the job that her government is doing in not supporting people during this pandemic?

**Hon. Brian Pallister (Premier):** I'll let—have my minister answer the next two. I'm sure the member will have more questions.

But I just wanted to say, and I know all members of the House will join with me in saying congratulations to the Association of Manitoba Municipalities for their work, their efforts. A particular thank you to retiring president Ralph Groening, who served, not—25 years, a quarter of a—hard to believe when you look at the man, Madam Speaker, but 25 years of service to the people of Manitoba and a number of years as president of the AMM.

And our best wishes also to incoming president, Kam Blight, who—I've known his family for many years. He comes from an area near our—where our family farm was, and I can say he's a fine person, and I know that we'll all look forward to working with the AMM going into the future.

I want to also thank you to my colleagues for the bear pit session. I know the AMM members always appreciate the opportunity to have questions answered by our colleagues.

**Madam Speaker:** The honourable member for Concordia, on a supplementary question.

**Mr. Wiebe:** Well, Madam Speaker, I was not surprised that I didn't hear the minister get up and

answer that question, because it would take courage to stand up and answer that question and to let us know what she really thinks.

\* (14:10)

Instead, she doesn't have the courage to stand up and admit that it is her government that has stood by and, instead of providing immediate financial—*[interjection]*

**Madam Speaker:** Order.

**Mr. Wiebe:** —assistance to municipalities, the minister has proposed more cuts to services, more cuts to supports, and more cuts to jobs. Real and meaningful supports, of course, should have been provided sooner, but communities are reeling from COVID-19. *[interjection]*

**Madam Speaker:** Order.

**Mr. Wiebe:** I ask again: Will this minister stand up and tell us, is she happy with the job that her government is doing with COVID-19?

**Hon. Rochelle Squires (Minister of Municipal Relations):** I am very pleased to tell the member that this government does have the courage to repair the damages that were done to municipalities under the former NDP government.

While the former NDP government were calling municipal leaders howling coyotes and forcing an amalgamation on them, our government has worked very collaboratively with them, including flowing \$380 million to municipalities through the Manitoba Restart and the federal restart agreements to ensure that they have the money that they could support all of their ratepayers and community members in their municipalities.

So we have been working very collaboratively with our municipal leaders to ensure that they have the front-line supports that they need.

**Madam Speaker:** Before we go too much further, I need to tell members that I need to be able to hear, and I was having some difficulty hearing. When we have members on remote it is a little bit harder for us to hear what is being said, so I would ask for your support, please. I need to be able to hear what is being said via the members that are speaking remotely.

The honourable member for Concordia, on a final supplementary.

**Mr. Wiebe:** Again, this minister refuses to answer whether she is happy with the job that this government

is doing. We certainly understand that municipalities are not happy with the job that they have done so far.

We see case numbers rising across this province. We know that Manitoba municipalities need more support from this provincial government to make it through this pandemic, not cuts.

Instead, we're facing—they're facing massive blows—*[interjection]*

**Madam Speaker:** Order.

**Mr. Wiebe:** —as the Province tries to privatize snow clearing and other essential services. That's the wrong priority any day of the week, let alone during a pandemic. That's what municipalities told us at the AMM convention today.

Why won't this minister listen? Will she stand up to this government and start supporting municipalities in this province? *[interjection]*

**Madam Speaker:** Order.

**Ms. Squires:** There are so many false assertions in the member's preamble, so let me impart with him some of the facts.

The facts are that our government provided \$170 million in operating funding to municipalities, including flowing this money earlier than usual to ensure that they would have money when the pandemic hit. We also doubled the funding for the Green Team so that municipalities and other non-profits throughout the province could hire youth and get them working on integral projects throughout their community.

We also increased funding to the Building Sustainable Communities program by 25 per cent, supersizing that fund to \$10.5 million, and we established a Back to Work Manitoba program that allowed 136 non-profits in several municipalities to employ people in their communities through that program.

We're going to continue to work with municipalities—

**Madam Speaker:** The member's time has expired.

### **Children With Disabilities Inclusion Support Funding**

**Ms. Danielle Adams (Thompson):** Madam Speaker, children who have disabilities have a legal right to inclusion support in child-care centres. Despite that, the Finance Minister tried to cut spending in this area

in 2017 and only backed down after his cuts were on the front page of the Free Press.

Now the Families Minister is up to it again. Madam Speaker, 1,516 children received inclusion support last year. Through freedom of information requests, which I will table, we found that that number has shrunk to 948. Hundreds of children are not getting the support they need.

Why is the minister cutting inclusion support funding for children with disabilities?

**Hon. Heather Stefanson (Minister of Families):** The member opposite is just wrong again, Madam Speaker. I know she asked this question before. We've answered this question several times, but maybe I'll answer the question she should have asked, and that is what—how we're doing with persons with disabilities and Manitobans, like, during these very difficult times.

And I'm proud that our government announced recently the pandemic—sorry, the Pandemic Staffing Support Benefit, Madam Speaker, which helps those who work with the most vulnerable people, those with disabilities in our community. These are the types of programs that we're putting together for those who are working very closely during a worldwide pandemic to help those—*[interjection]*

**Madam Speaker:** Order.

**Mrs. Stefanson:** —vulnerable people, including children with disabilities in our community.

**Madam Speaker:** The honourable member for Thompson, on a supplementary question.

**Ms. Adams:** Madam Speaker, the minister is just not correct. This government has long targeted spending in this area. That is why the number of centres and homes offering inclusion support has steadily declined under this government. That is why they cut—tried cutting funding in 2017. That is why they're changing regulations so they can dictate how much funding is given, rather than what is needed.

And what—why they have done this is—kicked hundreds of families off current supports and told them to reapply. It is what it is, and it's always been about saving a few bucks off of the backs of children who deserve our support the most.

Will the government change course and commit to ensuring every child that asks for inclusion support gets full funding they deserve?

**Mrs. Stefanson:** Once again, Madam Speaker, the member opposite is just wrong. In fact, we're spending over \$20 million more than the previous year on—in the area of disabilities in the province of Manitoba, Madam Speaker.

In fact, in the Department of Families, we're spending \$280 million more than the NDP ever did when they were in power, Madam Speaker. They had a choice back then—back then to do what was in the best interests of persons with disabilities, including children with disabilities in our community.

Where they failed, we'll continue to work with those Manitobans to ensure that they have the supports that they need.

**Madam Speaker:** The honourable member for Thompson, on a final supplementary.

### **Child-Care System Review Release of KPMG Report**

**Ms. Danielle Adams (Thompson):** Madam Speaker, we're in the midst of a pandemic and this minister's priority is reducing supports for children with disabilities.

Her other priority, of course, is giving hundreds of thousands of dollars to KPMG. In May, the Pallister government doubled the value of the KPMG child-care review to \$600,000. According to the government's briefing notes, Paul Beauregard authorized this.

The work was supposed to be completed July 1st, but Madam Speaker, it is now November 23rd and the minister has done first reading on a bill to enact KPMG changes and has not released the legislation and she has not released the KPMG review.

Why won't she show us the KPMG review, and what does she have to hide?

**Hon. Heather Stefanson (Minister of Families):** Madam Speaker, that's why we have introduced the legislation. That's why we're going out and talking to Manitobans, that they'll have the ability to see this and to have input into this moving forward.

We couldn't be more transparent than that, Madam Speaker, but we know the member opposite may not understand transparency. Certainly, when they were in government they weren't as transparent and accountable when it came—when it comes to child care in Manitoba. In fact, they doubled the wait-list for child care in Manitoba.

We're working with our partners within the community. We're working with families to ensure that they get the choices that they need in child care when they need them, Madam Speaker.

### **Education System Staffing Levels Teachers and Support Staff Needed**

**Mr. Mark Wasyliv (Fort Garry):** Madam Speaker, Manitoba teachers have been working diligently to ensure the best quality education possible for our children, both before and during this pandemic. Our schools are the foundation for a healthy community and economy, and right now our schools desperately need support from the provincial government.

The feedback I've heard about the Education Minister's most recent announcement is that it's too little and too late. Manitoban schools need direct investment now.

Will the Education Minister commit to immediately hiring more teachers to work directly in our schools?

**Hon. Kelvin Goertzen (Minister of Education):** Our government, during the summer, began work to ensure that there would be resources available for our schools. We talked to the school divisions about holding their savings. We added another \$52 million to that.

\* (14:20)

As a result, hundreds of new teachers have been hired to get us through this particular point of the pandemic. They've been hired. They've been working. We know there are challenges within the school system, but we continue to work with our partners to address them, Madam Speaker.

**Madam Speaker:** The honourable minister for Fort Garry, on a supplementary question.

**Mr. Wasyliv:** Yes, I guess Manitobans are wondering why the minister started in the summer as opposed to April to get ready for the new school year.

But the Manitoba Teachers' Society has repeatedly cited a lack of educators required to ensure physical distancing. We know that teachers are stretched incredibly thin right now, teaching in multiple classrooms and remotely, sometimes at the same time.

We also know that the new online hub can't be operational because there is a short supply of substitute teachers and support staff in classrooms right now.

The current model of teaching is simply unsustainable. I've heard from many teachers who are near the breaking point.

Will the minister commit today to hiring more teachers to work directly in Manitoba schools?

**Mr. Goertzen:** In fact, that is what the announcement is—specifically was intended to do: to hire 100 new teachers. We know that there are many, particularly retired teachers, who might be interested in this kind of work, Madam Speaker. We've been reaching out to them. There are applications that are coming in.

We've been hearing from many people within the education system that this will be important to provide resources who the—for those who are doing remote and at-home learning. We'll continue to support them while working with those who are continuing in the classrooms and in the education system. We know that it is a challenging time for them, as it is for many, and we'll continue to be there for them.

**Madam Speaker:** The honourable member for Fort Garry, on a final supplementary.

**Mr. Wasyliv:** It should be no surprise to this minister that hiring 100 teachers at the end of November of a school year might be difficult to do. If he had started this process in April of last—of this year, things may have been different.

But the minister still hasn't said how much of the \$85 million in federal assistance will be allocated to support our schools. This is unacceptable, Madam Speaker, as we see educators and staff in schools struggling to ensure students are kept safe, healthy and receiving quality education.

Manitoba schools need direct investment today in the way of hiring teachers, EAs, administrative and cleaning staff, and investments in PPE and additional cleaning.

Will the Education Minister provide a plan to invest federal funding and ensure that schools are adequately staffed?

**Mr. Goertzen:** Well, Madam Speaker, I know the member opposite has taken advice from many different places, including in conferences in San Antonio when he was with the school divisions and going down south to try to get some different pieces of advice.

We've been listening to those in Manitoba who've said to us that they need the support here in our province. We provided that funding. Additional

teachers were hired throughout the summer. We'll continue to hire additional teachers to help those who are in remote learning, Madam Speaker.

We are continuing to work with those partners in education, knowing that this is a difficult and challenging time. But we'll be there to work with them to get through this difficult time.

### **Personal-Care Homes COVID-19 Testing Capacity**

**Mr. Dougald Lamont (St. Boniface):** In the last week, several personal-care homes have issued desperate pleas for volunteers to help provide basic care, including feeding for residents. Simkin place is one, Golden Links Lodge are—is another where there are also active COVID cases. I've heard directly from family members who want to help but can't because they are at risk because of their age or underlying health conditions.

But we've also heard that PCHs and families asked for asymptomatic testing and were denied because the testing capacity wasn't there.

Will this government actually take charge and get widespread testing and care teams into those homes today?

**Hon. Brian Pallister (Premier):** That's a legitimate question, Madam Speaker.

The increases in testing have been fourfold over the last number of weeks in our province, and that's significant. It's a challenge all over the world.

The member raises an important issue. The need for help in our vulnerable populations, among those who, in particular, care for our vulnerable population, is very real. And it is one that we are addressing.

And I would appreciate any suggestions the member may have in respect of how we might add to the numbers of people that we have already added in areas like personal-care homes, hospitals, in the schools, with respect to our testing facilities and response to our testing. Because these are—this is a government that's open to ideas and suggestions. We're acting on many. We'll continue to, and we'll face this challenge together.

I'd invite him to be on team Manitoba.

**Madam Speaker:** The honourable member for St. Boniface, on a supplementary question.

### **Manitoba Bridge Grant Eligibility Barriers**

**Mr. Dougald Lamont (St. Boniface):** I do have a suggestion, actually.

Since last week, we've been swamped with calls from small businesses who aren't eligible for the new Bridge Grant program: brick and mortar businesses who closed by 75 per cent but not entirely, people with multiple locations and especially home-based businesses—event planners, photographers, could be deejays, painting, construction. They risk being wiped out because the new plans don't cover them.

As one writer put it, quote, our income is fair game for provincial taxation, but our businesses are treated as passive hobbies.

Will the Premier change the Bridge Grant program to ensure that businesses that have been left out can survive?

**Hon. Brian Pallister (Premier):** Well, I think that's a refreshing change for the member to raise an issue of importance like the support for small businesses, which is the most generous in Canada, bar none.

Ontario just announced a doubling of their support for small businesses last week, from \$300 million to \$600 million. Ontario is 10 times our size. That would be equivalent to us offering \$60 million of supports to our small businesses. Madam Speaker, we're offering four times that much in support.

And in respect of the member's request that we take a look at broadening the bridge support to the businesses he raised, that is already being researched, and we are very open to the idea.

### **COVID-19 and the Homeless Population Use of Public Buildings for Rest Areas**

**Hon. Jon Gerrard (River Heights):** Madam Speaker, the provincial government has the opportunity to save lives from the cold by acting now to open government buildings with washrooms and places for people to sit day and night.

The growing homeless population needs reliable and accessible places to wash their hands as they face increasing barriers with the closure of libraries and community centres in addition to coffee shop restrictions due to COVID-19.

The Province and the City together own many buildings that could open their doors to help people

struggling in the cold as emergency shelter spaces are also reduced.

I ask: Will the Premier act before it is too late to make enough warm places accessible for our friends on the street who are homeless?

**Hon. Brian Pallister (Premier):** This is a new trend, I hope, Madam Speaker, and I encourage the Liberal members of our Chamber to continue along this vein, as opposed to recording conversations surreptitiously. I appreciate the member raising the concern.

I will say this that most importantly, our numbers, in terms of contacts, have to come down. And I wanted to say thank you, while I had the opportunity, to all of the folks who listened to the admonitions from Dr. Roussin, myself and many others to not bombard our shopping centres and facilities just prior to the restrictions—the new restrictions coming in.

Those restrictions are hard. They're hard on small businesses. We know that, but our small-business population responded admirably, framing off sections of their stores, making sure that they accommodated people. And the customers responded by not badgering people in frustration with these changes.

And so I thank the members for their questions and we'll certainly be willing to work with them if they continue with this positive tone—welcome them to team Manitoba, if they choose to stay.

#### **Pandemic Staffing Support Benefit Disability Services, Child Care**

**Ms. Janice Morley-Lecomte (Seine River):** Madam Speaker, as we fight back against the COVID-19 pandemic, our government is committed to protecting vulnerable Manitobans and the people who serve them every day.

Can the Minister of Families update the House on how we are supporting staff to ensure they are providing quality care to vulnerable Manitobans in our disability, child-care and Child and Family Services sectors?

**Hon. Heather Stefanson (Minister of Families):** I want to thank the member for that question.

Madam Speaker, there is nothing more important to our government than protecting vulnerable Manitobans. That's why, last week, I was proud to announce \$10 million for the new pandemic staffing benefit for agencies in our disabilities, child-care and Child and Family Services sectors. This benefit can be used for overtime, staff replacement and sick leave for

the hard-working staff that serve vulnerable Manitobans every day.

\* (14:30)

Madam Speaker, I want to extend a very special thank-you to all the incredible front-line workers who continue to serve vulnerable Manitobans each and every day during this pandemic.

Thank you.

#### **Changes to Crown Land Leasing Rental Rate Formula and Family Transfers**

**Mr. Diljeet Brar (Burrows):** Madam Speaker, the Association of Manitoba Municipalities policy convention includes a resolution on changes to Crown lands.

Delegates are asking for changes such as the return of unit and family transfers and the implementation of a rental rate formula that doesn't place undue financial burden on renters and farmers. Manitobans are telling this government that the Crown lands leasing regulatory changes do not work for them.

Will this minister listen to Manitobans and reverse the changes to the Crown land leasing system?

**Hon. Blaine Pedersen (Minister of Agriculture and Resource Development):** I thank the member for the question because it allows me to expand on the legacy leases that we're doing so that intergenerational transfers will be able to happen with renters.

I don't know why the member keeps advocating for unit transfers, which goes against Manitoba producers being able to pick up leases. And I should mention that—while I have the chance—the member for Fort Garry (Mr. Wasyliv) is now opposed to the Roquette pea-processing plant—the world's largest pea-processing plant that'll help diversify Manitoba's economy. Why are they against industry?

**Madam Speaker:** The honourable member for Burrows, on supplementary question.

**Mr. Brar:** I have been hearing from many concerned farmers and renters who are struggling to keep up with their lease payments, some of which have been increased by over 300 per cent; beef producers who are already stressed thin with declining prices and market concerns due to the pandemic and there was simply no way for most producers to prepare for such a dramatic rental increase.

Madam Speaker, Manitoban farmers and renters are struggling under these regulatory changes and they need this government's support, not for them to continue gouging producers.

Will the minister commit today to addressing this rapid increase in costs for producers?

**Hon. Brian Pallister (Premier):** I think it's important to acknowledge the passing of a pioneer in the conservation movement in our province, given the question's content.

Ted Poyser, who passed on the weekend of COVID. He was ill prior, Madam Speaker, but a wonderful contributor to our conservation legacy. A member of the—honoured member of the Manitoba agriculture hall of fame; very, very active throughout his career in conservation in the government of Manitoba's employ and even more active in 40 years of retirement, advocating for programs such as the ALUS program—alternative land use strategy—to encourage farmers to get on board with conservation programming in a real way.

Our condolences to Ted's family and many, many, many friends, Madam Speaker. And a life wonderfully lived. We will miss him.

**Madam Speaker:** The time for oral questions has expired.

### Speaker's Ruling

**Madam Speaker:** I have a ruling for the House.

On March 16th, 2020, the honourable member for Concordia (Mr. Wiebe) raised a matter of privilege regarding the government's failure to provide certain information during a line of questioning by the honourable member for The Maples (Mr. Sandhu) during oral questions on March 10th, 2020, on the subject of the ride-share and taxi industries in Manitoba.

The member for Concordia stated his belief that the government has not been forthcoming with the necessary information to enable the member for The Maples to report the government's decisions to his constituents. The member for Concordia concluded his remarks by moving, and I quote, that this issue be immediately referred to a committee of this House. End quote.

The honourable member for River Heights (Mr. Gerrard) and the honourable member for Rossmere (Mr. Micklefield) both spoke to the matter of privilege before the Deputy Speaker took it under

advisement, and I thank all honourable members for their advice to the Chair on this matter.

In order to be ruled in order as a prima facie case of privilege, members must demonstrate that the issue has been raised at the earliest opportunity, and also provide sufficient evidence that the privileges of the House or the privileges of individual members have been breached.

Regarding timeliness, the honourable member for Concordia stated that he required time to review Hansard before raising his matter of privilege. However, the oral questions period to which he referred occurred on March 10th, and the member raised the matter before the House on March 16th. This is certainly sufficient time to review Hansard, and I am therefore ruling that the condition of timeliness was not met in this case.

Regarding the second condition of whether a prima facie case has been demonstrated, the honourable member for Concordia argued that his matter has impeded his ability to give a clear picture to his constituents and give them the opportunity to raise their concerns.

For the information of all members, parliamentary privilege is a constitutional right passed on to the Parliament of Canada and to the provincial legislatures from the United Kingdom's 1689 Bill of Rights, and was incorporated into the Canadian experience to provide protection for members to exercise their parliamentary duties free from interference.

I would remind the House that the individual protections for members under parliamentary privilege include the freedom of speech; the freedom from arrest and civil actions; exemptions from jury duty; freedom from obstruction, interference, intimidation and molestation; and the exemption from attendance as a witness.

In order for a prima facie case of privilege to be found, one or more of these individual protections would need to be demonstrated to have been violated.

Based on his comments in the House on March 16, 2020, the honourable member for Concordia appears to have a grievance against the government regarding the content of the government's answers during oral questions.

As Speaker Hickey ruled in 2009, the Speaker is not responsible for the quality or contents of replies to

questions. As well, a member may put a question but has no right to insist upon an answer.

Speaker Reid also explained in a 2013 ruling, and I quote, the Speaker cannot determine whether or not the answer is appropriate to the question that was asked, end quote.

Further, a 1980 ruling by Speaker Sauvé of the House of Commons states that, and I quote: While I am only too aware of the multiple responsibilities, duties and also the work the member has to do relating to his constituency, as Speaker I am required to consider only those matters which affect the member's parliamentary work. That is to say, whatever duty a member has to his constituents, before a valid question of privilege arises in respect of any alleged interference, such interference must relate to the member's parliamentary duties. In other words, just as a member is protected from anything he does while taking part in a proceeding in Parliament, so too must interference relate to the member's role in the context of parliamentary work.

Accordingly, I am ruling that this matter does not constitute a prima facie case of breach of privilege.

## PETITIONS

### Dauphin Correctional Centre

**MLA Uzoma Asagwara (Union Station):** Madam Speaker, I wish to present the following petition to the Legislative Assembly.

To the Legislative Assembly of Manitoba, the background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

(2) The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27, 2020, Manitoba's justice system was already more than 250 inmates overcapacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and

healing centre with an expanded courthouse in Dauphin.

This has been signed by many Manitobans.

### CancerCare Closures at Concordia and Seven Oaks Hospitals

**Mr. Nello Altomare (Transcona):** It's my pleasure to bring the following petition to the Manitoba Legislative Assembly.

The background to this petition is as follows:

\* (14:40)

(1) On September 4, 2020, the provincial government announced that CancerCare outpatient services will be cut at the Concordia Hospital and Seven Oaks General Hospital, effective December 2020.

(2) Closing two CancerCare sites in Winnipeg will mean a third of existing sites are lost, with increased burdens placed on outpatient cancer services at the Health Sciences Centre and St. Boniface Hospital.

(3) The cut of these outpatient services has provoked concerns from health-care workers and CancerCare nurses alike, who have stressed to the provincial government that the cut is contrary to what CancerCare Manitoba's goals of patient care are and would most certainly increase the burden for the people they are trying to help.

CancerCare nurses have also noted that this decision has more to do with saving money rather than it was in the best interests of patients. This is further highlighted by a 2019 consulting contract bid, which shows that this cut has been made purely in the interest of fiscal performance and will not improve the quality of patient care.

(5) Patients who do not have access to a vehicle or reliable transportation will be hit the hardest by this cut with the burden of falling largely on seniors and Manitobans on low incomes.

(6) Cuts within the Winnipeg Regional Health Authority, including the provincial government's closure of the Concordia emergency room and Seven Oaks emergency room, have already compromised health-care access close to home for residents of northeast and northwest Winnipeg.

(7) Deterioration of the health care within Winnipeg Regional Health Authority has led to increased wait times, compromised patient care and

worsened health outcomes. This cut will only continue to deteriorate the quality of care for patients while forcing more demands onto health-care workers.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to halt its proposed closure of CancerCare sites at the Concordia Hospital and Seven Oaks General Hospital, while guaranteeing access to high-quality outpatient CancerCare services in northeast and northwest Winnipeg.

This petition is signed by Tony Korosevich [*phonetic*], Becky Dilfer [*phonetic*], Kerry [*phonetic*] Smith and many Manitobans.

Thank you, Madam Speaker.

**Madam Speaker:** In accordance with our rule 133(6), when petitions are read they are deemed to be received by the House.

#### Dauphin Correctional Centre

**Mr. Diljeet Brar (Burrows):** I wish to present the following petition to the Legislative Assembly.

To the Legislative Assembly of Manitoba, the background to this petition is as follows:

The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

As of January 27, 2020, Manitoba's justice system was already more than 250 inmates overcapacity.

We petition to Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This has been signed by many Manitobans.

**Mr. Ian Bushie (Keewatinook):** I wish to present the following petition to the Legislative Assembly.

To the Legislative Assembly of Manitoba, the background to this petition is as follows:

The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

As of January 27, 2020, Manitoba's justice system was already more than 250 inmates overcapacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This has been signed by many Manitobans.

#### Personal-Care Homes—Pandemic Response

**Hon. Jon Gerrard (River Heights):** Madam Speaker, I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

There has been a dramatic increase in COVID-19 infections in Manitoba during the second wave of the pandemic, to the extent that Manitoba quickly rose from one of the lowest to having the highest number of active cases per capita of all provinces.

The resurgence in cases is worse because the provincial government was not prepared for the pandemic, resulting in very long wait times for COVID-19 tests and people waiting for up to seven days to get results.

The seven-day delay for test results led to a further delay in contact tracing which, in turn, led to greater uncontrolled and undetected community spread of COVID-19.

Cases are spreading in personal-care homes because the provincial government did not adequately prepare to prevent and address personal-care homes' COVID-19 infections.

The provincial government did not institute full testing of all staff and residents in a personal-care

home when the first COVID-19 case was detected in a home.

When, in May and June, Manitoba Liberals' repeated calls for a rapid response team for seniors homes to prepare for a second wave, the provincial government ignored the idea and brushed it aside.

In August, the provincial government ignored the calls for investment in infection control and better staffing to prepare seniors homes for a second wave, putting the health and safety of residents and staff alike at risk.

The provincial government failed to act to address reports of poor care at the Parkview Place personal-care home, including a March 2020 report detailing concerns with the state of repair of the facility. Its cleanliness and sanitation practices included issues with cockroaches, dirty toilets and grease-laden dirt in the kitchen.

The Minister of Health and Seniors and Active Living has been undermining public health fundamentals by downplaying the need for masks, which are known to prevent the spread of contagion.

The provincial government's wishful thinking and failure to get ready for the second wave of the pandemic has imposed tremendous costs and hardship across Manitoba, including schools and businesses. The provincial government's failure to take basic steps to control outbreaks has led to further shutdowns, and businesses have had to close or reduce their capacity without receiving the financial government assistance.

The provincial government's own accounts show that support for business is among the worst in Canada. Businesses continue to face bankruptcy and operating risks because the provincial government refused to step up with financial support or PPE so that they could continue to safely operate. Businesses and workers alike have been forced to choose between getting sick or going broke.

The provincial government has been saying one thing and doing another: calling for fundamentals while urging people to go back to work, shop and encouraging behaviour that increases the spread of COVID-19.

When the Minister of Health, Seniors and Active Living was asked about preventing deaths at personal-care homes, he responded these deaths were unavoidable. Dr. Nathan Stall, who specializes in geriatrics and internal medicine at a Toronto hospital,

called the notion that deaths are unavoidable ageist and urged the minister to reconsider. Outbreaks like the one in Winnipeg's Parkview Place are avoidable tragedies, as we have seen in other jurisdictions like Singapore.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to call a public inquiry into the mishandling of the second wave of the pandemic and into the outbreak at Parkview Place personal-care home.

To urge the provincial government to replace the current Minister of Health, Seniors and Active Living as a result of his failure to support personal-care homes and his failure to adequately prepare the province for the second wave of the pandemic.

Signed by Jared Adams, Jackie Spear, Brian [*phonetic*] Yeo and many other Manitobans.

#### **Vivian Sand Facility Project—Clean Environment Commission Review**

**Ms. Cindy Lamoureux (Tyndall Park):** I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

The Vivian sands project is a proposed silica sand mine and processing plant to be built in the RM of Springfield. The overall project includes mining claims of over 85,000 hectares, making it the largest claim ever given to a single company in Manitoba's history. It is larger than the city of Winnipeg, which is 46,410 hectares.

\* (14:50)

The amount of dry, solid sand mined produced per year according to the EAP is 1.36 million tons, and much of this sand will be used in fracking.

A major concern of the proposed mine and plant is that, if developed, it could contaminate the Sandilands aquifer, including both carbonate and sandstone aquifers, which covers much of southeastern Manitoba. It has excellent water quality and is the water source for tens of thousands of Manitobans, including many municipal water systems, agriculture, industry, private wells and an abundance of wildlife and ecosystems. Further, people in the Indigenous communities that are potentially affected by this were not afforded the required Indigenous consultation from either federal or provincial government officials.

The sustainable yield of the combined sandstone and carbonate aquifers has still not yet been established by the provincial authorities.

The mine could cause leaching of acid, heavy metals and pollute the aquifer, as it will go down 200 feet into the Winnipeg formation of the sandstone aquifer. There is concern that the shale, which separates the carbonate and sandstone aquifers will, when exposed to injected air from the CanWhite Sands extraction process, turn to acid.

An additional concern with the proposed mine and plant is the potential to pollute the Brokenhead River and the aquatic food chain leading to Lake Winnipeg.

Residents in the area have also expressed fears of being overexposed to silica dust during production, as there has been a demonstrated lack of safety and environmental procedures by the CanWhite Sands Corporation during the exploratory drilling phase. Signage and fencing has been poor; identifying the required mine claim tags were missing; there were no warnings for silica dust exposure and no coverings to prevent exposure of the silica stockpiles to the elements.

Residents' concerns include the fact that boreholes, which should have been promptly and properly sealed, were left open for a year. The drilling of hundreds of improperly sealed boreholes yearly create significant risks of surface contamination, mixing of aquifer waters and drainage of surface fecal matter into the aquifer.

There is also a risk of subsidence around each borehole as a result of sand extraction.

There are also potential transboundary issues that need to be addressed as the aquifers extend into Minnesota.

This project should not proceed, as no licensing conditions and mitigation measures will alleviate the risk of all Manitobans and the environment since CanWhite Sands Corporation plans to use an unprecedented mining technique with no established safe outcome. The corporation has gone on record indicating that it does not know how to mine for the silica in the water supply and need to develop a new extraction methodology that has never been done before.

Contamination of the aquifers and the environment is irreversible and there are many surface

sources of high purity silica that can be extracted without endangering two essential regional aquifers.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to undertake a combined review of the Vivian Sand Facility processing plant and the mining/extraction portion of the operation as a class 3 development with a review by Manitoba's Clean Environment Commission to include public hearings and participant funding;

To urge the provincial government to halt all activity at the mine and plant until the Clean Environment Commission's review is completed and the project proposal has been thoroughly evaluated.

This petition has been signed by many Manitobans.

#### Dauphin Correctional Centre

**Mr. Tom Lindsey (Flin Flon):** I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

As of January 27th, 2020, Manitoba's justice system was already more than 250 inmates over-capacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

And this petition, Madam Speaker, has been signed by Muriel Thwaitke [*phonetic*], Jade Toner [*phonetic*] and Matthew Sliworsky [*phonetic*] and many other Manitobans.

Thank you.

**Mr. Jim Maloway (Elmwood):** I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

(2) The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27, 2020, Manitoba's justice system was already more than 250 inmates over-capacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This petition has been signed by many, many Manitobans.

**Ms. Malaya Marcelino (Notre Dame):** Madam Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

The provincial government plans to close the Dauphin Correctional Centre, the DCC, in May 2020.

The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

Approximately 80 families will be directly affected by this closure, which will also impact the local economy.

As of January 27th, 2020, Manitoba's justice system was already more than 250 inmates over-capacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This has been signed by Stephen Yeo, Jenna Mancheese, Myrna Jacobs and many other Manitobans.

**Mr. Jamie Moses (St. Vital):** I wish to present the following petition to the Legislative Assembly of Manitoba,

The background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

(2) The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27th, 2020, Manitoba's justice system was already more than 250 inmates over-capacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This—has been signed by many Manitobans.

**Ms. Lisa Naylor (Wolseley):** I—sorry. The—I wish to present the following petition to the Legislative Assembly.

The provincial government—sorry. The background to this petition is as follows:

\* (15:00)

The provincial government plans to close the Dauphin Correctional Centre in May 2020.

The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

As of January 27, 2020, Manitoba justice system was already more than 250 inmates overcapacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This has been signed by many Manitobans.

**Mr. Adrien Sala (St. James):** I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

(1) The provincial government plans—

**Madam Speaker:** Order, please. Can I just ask the member to move his mic forward please.

Thank you.

**Mr. Sala:** Thank you, Madam Speaker. I did that to avoid dipping it in my coffee earlier today, but apparently I forgot to put it back. I'll start again.

I wish to present the following petition to the Legislative Assembly.

Number one, the background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre in May 2020.

(2) The Dauphin Correctional Centre is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27, 2020, Manitoba's justice system was already more than 250 inmates over-capacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the Dauphin Correctional Centre and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This has been signed by many Manitobans.

**Mr. Mintu Sandhu (The Maples):** I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May 2020.

(2) The DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27, 2020, Manitoba justice system was already more than 250 inmates over-capacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This has been signed by many Manitobans.

### **COVID-19 Income Supports and Homelessness Prevention**

**Mrs. Bernadette Smith (Point Douglas):** I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) A humanitarian poverty crisis will explode this winter unless the provincial government takes action now.

(2) A pre-pandemic poverty—pre-pandemic poverty in Manitoba was above the national average as 21 per cent of Manitobans—274,910 Manitobans are in poverty, according to the latest data from Statistics Canada 2018. Poverty and COVID-19 disproportionately impact Indigenous, black, people of colour, single parents, women, trans and non-binary people, seniors, people with disabilities, and low-income people.

(3) People who depend on provincial Employment and Income Assistance, EIA, as their only source of income live in a state of emergency most of the time. For example, the \$800 a month, \$9,600 annually received by a single person on EIA traps them well below the poverty line of \$18,272, based on Statistics Canada Market Basket Measure.

(4) There are approximately 73,000 Manitobans barely surviving on extremely low EIA rates who cannot afford an apartment while also paying for other basic needs like food, clothing, phone, bus tickets or sanitary and hygiene products. Community resources that provide these basic needs have had to drastically limit or close operations during the pandemic. Ongoing provincial investments in social assistance have not been directed towards enhancing benefits, and the Province's recent one-time \$200 payment to people with disabilities on EIA does not come close to filling the income gap.

(5) The boasting by the provincial government about its decision to treat federal income support programs, like the Canada Emergency Response Benefit, CERB, as earned income is problematic. The clawing back of EIA for those who received the CERB has left many without income at all. Furthermore, EIA continues its normal punitive practice of withholding benefits and closing files when recipients are unable to comply with EIA program requirements, many of which are unreasonable expectations within the context of a pandemic. Both practices have left many EIA participants without any income support during the pandemic and are at great—are at much greater risk of homelessness.

The provincial—(6) The provincial government has a responsibility to meet the housing needs of low-income people and oversee The Residential Tenancies Act and the branch. The eviction ban to prevent people from losing their housing if unable to pay the rent was lifted on October 1st, despite an increase in the number of individuals testing positive for the virus. An estimated 5,456 to 7,882 tenants and their households are now at risk of eviction, resulting in overcrowding and increased homelessness. The issue is exasperated by provincial cuts to Rent Assist and the failure of this provincial government to create any new social housing since first elected.

Manitoba has—(7) Manitoba has moved to the critical level red on its pandemic response system. The provincial government has taken steps to expand shelter operations; however, more efforts need to be made. Dedicated isolation spaces for people experiencing homelessness have already reached capacity while infection rates are increasing within the shelter system. If the provincial government does not act now to secure the income and housing of the most vulnerable people in this province, it will put a greater strain of—greater number of people at risk of

homelessness and of contracting the spreading—and spreading the virus.

We petition the Legislative Assembly of Manitoba as follows:

(1) To urge the provincial government to increase the EIA allowance for single adults by \$383 per month and for people with disabilities by \$236 per month to bring their income to 75 per cent of the poverty line.

(2) To urge the provincial government to fully exempt the CERB and other federal COVID-19 recovery measures from EIA clawbacks and ensure EIA benefits are not interrupted or cut off during the remainder of the COVID-19 pandemic.

(3) To urge the provincial government to reinstate the provincial eviction ban to prevent homelessness during the COVID-19 pandemic.

And this, Madam Speaker, is signed by many, many Manitobans.

#### Dauphin Correctional Centre

**Mr. Mark Wasyliw (Fort Garry):** I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

(1) The provincial government plans to close the Dauphin Correctional Centre, DCC, in May of 2020.

\* (15:10)

(2) That the DCC is one of the largest employers in Dauphin, providing the community with good, family-supporting jobs.

(3) Approximately 80 families will be directly affected by the closure, which will also impact the local economy.

(4) As of January 27, 2020, Manitoba's justice system was already more than 250 inmates over-capacity.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Minister of Justice to immediately reverse the decision to close the DCC and proceed with the previous plan to build a new correctional and healing centre with an expanded courthouse in Dauphin.

This has been signed by many Manitobans.

Thank you.

### **CancerCare Closures at Concordia and Seven Oaks Hospitals**

**Mr. Matt Wiebe (Concordia):** I wish to present the following petition to the Legislative Assembly of Manitoba.

And the background to this petition is as follows:

(1) On September 4th, 2020, the provincial government announced that CancerCare outpatient services will be cut at the Concordia Hospital and Seven Oaks General Hospital, effective December 2020.

(2) Closing two CancerCare sites in Winnipeg will mean a third of existing sites are lost, with increased burdens placed on the outpatient cancer services at the Health Sciences Centre and at St. Boniface Hospital.

(3) The cut of these outpatient services has provoked concerns from health-care workers and CancerCare nurses alike, who have stressed to the provincial government that the cut is, quote, contrary to what the CCMB's goals of patient care are, and would most certainly increase the burden for the people they are trying to help, end quote.

(4) CancerCare nurses have also noted that, quote, this decision has more to do with saving money, rather than what is in the best interests of patients, end quote. This is further highlighted by a 2019 consulting contract bid, which shows that this cut has been made purely in the interest of, quote, fiscal performance, end quote, and will not improve the quality of patient care.

(5) Patients who do not have access to a vehicle or reliable transportation will be hit the hardest by this cut, with the burden falling largely on seniors and Manitobans with low incomes.

(6) Cuts within the Winnipeg Regional Health Authority, including the provincial government's closure of the Concordia emergency room and Seven Oaks emergency room, have already compromised health-care access close to home for residents in northeast and northwest Winnipeg.

(7) The deterioration of health care within the Winnipeg Regional Health Authority has meant increased wait times, compromised patient care and worsened health outcomes. This cut will only continue to deteriorate the quality of care for patients, while forcing more demands onto health-care workers.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to halt its proposed closure of CancerCare sites at the Concordia Hospital and Seven Oaks General Hospital, while guaranteeing access to high-quality outpatient CancerCare services in northeast and northwest Winnipeg.

And this petition is signed by many Manitobans.

**Madam Speaker:** Grievances?

### **ORDERS OF THE DAY GOVERNMENT BUSINESS**

**Hon. Kelvin Goertzen (Government House Leader):** Could you please call for second reading and hopeful passage Bill 4, The Retail Business Hours of Operation Act (Various Acts Amended or Repealed), and Bill 9, followed by Bill 7, followed by Bill 41?

**Madam Speaker:** It has been announced that the House will consider second reading of Bill 4 this afternoon, followed by bills 9, 7 and 41.

### **SECOND READINGS Bill 4—The Retail Business Hours of Operation Act (Various Acts Amended or Repealed)**

**Madam Speaker:** I will therefore call for second reading of Bill 4, The Retail Business Hours of Operation Act (Various Acts Amended or Repealed).

**Hon. Scott Fielding (Minister of Finance):** I move, seconded by the Minister of Agriculture and Resource Development (Mr. Pedersen), that Bill 4, The Retail Business Hours of Operation Act, now be read a second time and be referred to the committee of this House.

**Madam Speaker:** It has been moved by the honourable Minister of Finance, seconded by the honourable Minister of Agriculture and Resource Development, that Bill 4, The Retail Business Hours of Operation Act (Various Acts Amended or Repealed), be now read a second time and be referred to a committee of this House.

**Mr. Fielding:** I'm pleased to rise again to provide some comments on Bill 4.

Bill 4 repeals The Retail Businesses Holiday Closing Act and The Shops Regulation Act to eliminate province-wide restrictions on holiday and

Sunday shopping hours. Many Manitobans support allowing businesses to set their own hours, and we want to get Manitobans more freedom and flexibility on when they shop.

Manitoba is the only western province which still restricts retail business from operating on holidays and Sundays. Having more restrictive rules than our neighbouring jurisdictions put Manitoba businesses—retail businesses at a disadvantage compared to online retailers and businesses in other provinces.

*Mr. Doyle Pivniuk, Deputy Speaker, in the Chair*

The bill also ensures that municipalities will continue to have authority under The Municipal Act to regulate retail business hours within the jurisdiction as they see fit, Madam Speaker. The Province will work with municipalities to help the bylaws if needed.

The proposed bill will maintain provisions respecting retail employees' right to refuse work on Sundays and Remembrance Day. We consider this to be a fair accommodation of the consumers preferences while maintaining a reasonable work-life balance for retail employees, Mr. Deputy Speaker.

These changes were included as part of the government's 100-Day Action Plan commitment to bring forward legislation to eliminate Sunday and holiday shopping restrictions while preserving the rights of municipalities to create local retail-hour restrictions in the communities.

The Labour Management Review Committee, which is advisory body of labour legislation that really includes representatives—that does include representatives of major employer and labour organizations, were consulted upon this legislation, Mr. Deputy Chair—Mr. Deputy Speaker, rather. We are carefully—we carefully considered the committee's advice in drafting this legislation and like to thank the committee for its consideration on this matter.

Thank you, Mr. Deputy Speaker.

### Questions

**Mr. Deputy Speaker:** A question period up to 15 minutes will be held. Questions may be addressed in—to the minister by members from the following sequence: first question by the official opposition critic or designate, subsequent question might be asked by each independent member, remaining questions be asked by the opposition members. And no questions or answers shall exceed 45 seconds.

**Mr. Tom Lindsey (Flin Flon):** I want to just clarify with the minister whether workers would have the right to refuse to work on a holiday Monday or a Friday such as Good Friday, Easter Monday, Louis Riel Day.

Can the minister clarify that, please?

**Hon. Scott Fielding (Minister of Finance):** Members would continue the right, as they have before, to be able to refuse to work on Sundays. That we've part of—that's a day of rest. Anything to do with a religious ceremony—if there is a religious event that has happened, members obviously would have a right, through the human rights, to make sure that they have time off, but the legislation is similar to the existing legislation that we're repealing that provides a day of rest on the Sunday.

**Mr. Lindsey:** So Sunday is the only day that is included—well, no, that's not true. I believe Remembrance Day is, as well, included in this legislation. Could the minister clarify why a Sunday was picked—and don't get me wrong, certainly support the fact that workers need a day with their families—but perhaps maybe the minister could expound on why a Sunday? Why not a Saturday? So could the minister give us his reasoning for picking—

**Mr. Deputy Speaker:** The honourable member's time is up.

**Mr. Fielding:** The right to refuse to work on Sundays for retail workers has been in place for over 25 years. The amendment to The Employment Standards Code, including in Bill 2, simply really maintains that right, Mr. Deputy Chair. Although not all workers have Sunday off, Sunday is the most common day off.

\* (15:20)

The intent of maintaining the right to refuse to work on Sundays for retail workers is a given that their ability to enjoy a common day of rest with their families and friends should they wish to do so. So this has been in place for over a quarter of a century that maintains the day of rest on Sunday.

**Mr. Lindsey:** He—minister explains that Sunday has been in legislation for 25 years but doesn't really answer the question as to why Sunday is the day still.

Does the minister recognize that other people have different beliefs that probably weren't recognized at all 25 years ago that may have them wishing to take a day off other than Sunday?

**Mr. Fielding:** I do recognize that. The current legislation has been in place of the Sunday, the day of rest, that's in place, so we're simply maintaining what has been the practice for over 25 years, so that maintains it and obviously puts it in a different code in employment—in terms of The Employment Standards Code.

**Mr. Lindsey:** So the legislation, as it's presently structured or proposed to be structured, now leaves it up to the municipalities to decide if they wish to change or impose different restrictions. So rather than government saying, okay, Sundays are going to be the day of rest, now it's left up to municipalities to decide.

Could the minister explain the reasoning for that?

**Mr. Fielding:** Well, the legislation allows for Sunday shopping, Sunday holiday shopping, to take place essentially here beyond the Remembrance Day, which remains the same where you can't shop between 9 and 1 p.m., but what it also does is provide some flexibility for municipalities that do want those restrictions in place.

Municipalities are elected bodies that represents certain areas and so we thought it was respectful to municipalities to allow them the choice, and if they do want to have restricted hours, they're able to pass motions through their council to make that the rule of the land in their own municipality.

**Mr. Lindsey:** Thank you for that answer.

And I get the concept of the municipalities are elected bodies, but, well, they're going to land up—does the minister not agree—with a patchwork of what's allowed and what is not allowed. Rather than the Province taking a leadership role, they've abdicated their role as leaders yet again and leaving it up to municipalities.

So in this community, Sunday shopping might not be allowed, but I go to the next community and it is. And does the minister recognize that that may cause some problems for local businesses that—

**Mr. Deputy Speaker:** The honourable member's time is up.

**Mr. Fielding:** Our government has taken the opinion that we want to listen to municipal leaders, specifically as it relates to their own choices that are theirs. So what we've done is we have changed or repealed the initial act that restricts the hours that are there, but we also do respect council's authorities, and in certain regions, there may be a preference to still restrict that for a variety of reasons.

We think that's entirely appropriate to allow municipalities to make those decisions in respect to the people that they are elected from.

**Mr. Lindsey:** So the minister again is acknowledging that he's going to abdicate the authority to govern again.

So could the minister tell us exactly which stakeholders were consulted, then, and kind of give us a rundown of what their thoughts were when they were consulted?

**Mr. Fielding:** We consulted with labour management group that's made up of labour as well as management business organizations that are part of it. We consulted with municipalities in respect to that, and there has been obviously some plebiscites that have happened.

Of course, the legislation was delayed and so was reintroduced, and so our hope is to make sure that people have choice, you know, for ability to shop on holidays and weekends. We think it—or holidays and Sundays. We think it does make a lot of sense.

**Mr. Lindsey:** So it's my understanding, Mr. Deputy Speaker, that the government did reach out to the Labour Management Review Committee and asked for their input, but then called an election before they ever had the opportunity to respond, and then proceeded to introduce the legislation without ever hearing from the Labour Management Review Committee.

Does the minister accept that that's proper consultation?

**Mr. Fielding:** Well, as the member quite knows, we obviously couldn't have the election in 2020 because that's our 150th anniversary, so the member does know that.

But we did consult with members, the labour management, who actually endorsed this, but what we want to make sure, and the labour had pointed this out to us, they wanted to make sure there was a grandfather clause to allow people that wanted to refuse to work on Sundays or—Sundays, that they would be able to do that.

We didn't think that went far enough, and so we extended that further. Instead of making a grandfather clause, we made it possible for people to refuse work on a Sunday for the day of rest.

**Mr. Lindsey:** So could the minister clarify, then, if people have the right to refuse to work on a Sunday,

do people—working people—have the right to refuse any other day of the week for whatever reason?

**Mr. Fielding:** Yes. I would say that people, for religious accommodations, are able to ask that under The Human Rights Code and parameters. Of course, people—employers would be—need to make accommodations for that, so I would suggest, yes, there is.

I would also suggest to the member that we did consult with labour management before and after the election, so that is something that was supported. And we've also consulted extensively with the Manitoba municipal—AMM, the Manitoba association of municipalities.

**Mr. Lindsey:** So, my understanding is that the election actually interrupted the process with the Labour Management Review Committee, but they did take it upon themselves to provide some sort of commentary after the fact, if you will. The legislation was well in hand already, and certainly they're not necessarily opposed to it.

But—so why didn't the minister think to include other religious holidays or religious days in this legislation? He only focused on Sunday, claiming it's got no religious connotations, which we all know it does. So why not include—

**Mr. Deputy Speaker:** The honourable member's time is up.

**Mr. Fielding:** Again, as the member knows, we, of course, couldn't have the election in 2020 because it was Manitoba's 150. The Premier (Mr. Pallister) made that perfectly clear. We think—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Fielding:** —that is appropriate. Obviously, the people supported that by re-electing us with the second biggest majority—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Fielding:** —in Manitoba's history.

But in respect to—*[interjection]*

**Mr. Deputy Speaker:** Order.

**Mr. Fielding:** —the answer, maintain the right to refuse to work on Sundays for retail workers is not intended to be a religious accommodation. It is intended to provide common days to allow retail workers to spend time with friends and family. However, The Human Rights Code requires employees to provide reasonable accommodation for

employees who may need time away from their jobs for religious purposes.

**Mr. Lindsey:** Of course, we're all well aware that the Premier made up a reason to call an election early, which really was no reason whatsoever, but that's beside the point. The minister still could have included something in this draft piece of legislation about accommodating people who needed a different day rather than Sunday.

So, why did the minister only choose Sunday in this piece of legislation and leave it up to something else to hopefully, maybe, possibly address people that wanted a different day off?

\* (15:30)

**Mr. Fielding:** Well, we looked at the current legislation, which was in place for 25 years, including the 17 years when the NDP were in power, and we—seemed to make some sense in terms of having a day off. Again, this isn't in terms of religious basis, this is for a day off, so we think that's appropriate. So that's why we maintain having the day of Sunday being a common day off.

**Mr. Lindsey:** So we've talked about all kinds of things here.

Does the minister anticipate any repercussions from Sunday shopping hours potentially being extended?

**Mr. Fielding:** Well, I think if you take a look at either public opinion polls on this, as well as what the public has suggested, I think the fact that we are the only province in western Canada to not have hours where you can shop on Sundays or holidays, the fact that there is online—you could go to Amazon or wherever you want to go, Wayfair, and order these things—we think it's a competitive thing.

We think it makes a lot of sense, and quite frankly, we want to accommodate municipalities. They're closest to the people, the first level of government, and so we are taking their opinion. And so they want to change the rules. And from what's allowed in the legislation here, to make it more restrictive, that's really up to municipalities.

**Mr. Lindsey:** So workers will have the right to refuse to work on a Sunday and, I believe, Remembrance Day, but not the right to refuse on any other statutory holiday.

Can the minister explain the reasoning for that?

**Mr. Fielding:** It's consistent with the legislation that was in place for over 25 years, so there's a consistency to have a day of rest; that's a part of it. There is—if there's religious accommodations that need to be made for other things, obviously, I spelled out already, that that is an accommodation that is important that employers need to follow. So we think it's important.

Again, it's the exact same legislation, having the Sunday as a day of rest, that was in place when the NDP was in power for 17 years. So, if they really very much agreed or disagreed with having the Sunday off, they had ample opportunity within that 17 years to make the changes. So clearly they must think that it's right to have the Sunday in place, and so we're just following through with what the NDP had in place for over the last 17—

**Mr. Deputy Speaker:** The honourable minister's time is up.

**Mr. Lindsey:** So just one last kick at this cat.

Is a day like Thanksgiving—non-denominational, non-religious, just a day that families could be together and give thanks for that which they have, or, you know, that type of thing, and yet, the minister didn't think that that day was significant enough to require employees to have the same right.

So could he explain the reasoning for that?

**Mr. Fielding:** We want to be consistent with other western provinces. Right now with—and I wouldn't even say western provinces. I would say, the retail—the online retail is probably something that you're competing with more in Manitoba.

When you can buy something on Amazon or Wayfair or whatever else at any time and any time throughout the night on a Sunday or weekend, we think that there's a competitor disadvantage. We know that's even highlighted now with the pandemic that's in place, and so we think it makes sense to move on this.

We've actually got letters of correspondence from the business community that has talked about the important need of pushing this legislation forward, and so we would hope that the opposition would support this and move this along so we can make this a law.

**Mr. Deputy Speaker:** Time for question period has expired.

## Debate

**Mr. Deputy Speaker:** Debate is open. Any speakers?

**Mr. Tom Lindsey (Flin Flon):** Glad to be able to speak to this particular piece of legislation and how it affects working people. And it's interesting on how it affects working people, because what we've seen, really, from this government since they got elected in 2016 is their complete and abject lack of respect for working people.

Every other piece of legislation they've put in has made it harder for working people. They've introduced legislation to freeze their wages and take away their rights, but they want to make sure that they have the right to refuse to work on a Sunday. And the minister claims it's for non-religious reasons.

Now, don't get me wrong, Mr. Deputy Speaker, I don't think we're going to oppose this piece of legislation, but certainly it requires some deeper debate and a look at the bigger picture, if you will, of what this government does in relation to this particular piece of legislation.

So, I touched a little bit on some of the things they've done, such as forcing workplaces—particularly public sector workplaces—to not be able to negotiate fairly and properly. We've seen them, with the University of Manitoba, interfere directly, and this has been proven in the labour board that they interfered and were bargaining in bad faith, that the university couldn't offer wages.

So then we fast-forward to the next set of negotiations and oh, look, here's this government once again interfering in the rights of working people and the rights of working people to enter into fair collective bargaining agreements. Now, in the most current case they've accepted, realizing that the government is pulling the strings not-so-subtly behind the scenes and mandating that the university could offer no increase in wages.

Their bill that they had before the courts has, of course, been proven to be unconstitutional, but why would Premier Pallister care about what a court says when in his own mind—

**Mr. Deputy Speaker:** Order. Order. I just want to remind the member to—is—it's either—you can use either the Premier or the Pallister government, but he can't do Premier Pallister by name. You can do First Minister.

Okay, the honourable member for Flin Flon.

**Mr. Lindsey:** Well, thank you Mr. Deputy Speaker and I apologize for that.

So my point is, why would the current Premier (Mr. Pallister) of this province want to directly interfere, or why would he want to directly listen to what a court said? He thinks that he can just do whatever he wants—or not do whatever he wants—regardless of what's right, wrong or indifferent.

You know, in this case, it's something that a lot of working people aren't necessarily opposed to. Certainly, I'm sure, the Premier (Mr. Pallister) and his ministers heard loud and clear, at least from some in the business community, that they wanted to be open, because it's about profits, and if they can make money on Sundays and holidays, then, by golly, they want to make money on Sundays and holidays. And, really, that's what this Premier and this government are all about, is it's all about the money; it's not necessarily about the people.

And so we see them introduce this piece of legislation that really will help employers, and it's not a horrible thing for working people.

So why did the government choose to support this piece of legislation? Well, the answer is simple: because it didn't cost them any money. Because that's what this Premier's big on, is standing up for things that don't cost him any money. But if it looks like it's going to cost some money, then the Premier and this government seem to be somewhat absent from the conversation altogether.

We talked earlier about a piece of legislation for paid sick leave that's critically important, in particular right now with the pandemic and workers coming down with COVID, and the Premier was willing to support the federal government's desire to have some form of paid sick leave. But again, he was only willing to support it to the point where it wasn't going to cost him any money; wasn't going to cost the Province any money. So he stood up and banged his drum about supporting working people—but not really.

And that's what he's doing this time too, right? He's standing up saying, look at me, look what a good thing I'm doing here, because it doesn't cost the Province of Manitoba any money.

\* (15:40)

So, I get it that the business of shopping has changed over the years, and certainly online shopping has had impacts on local businesses; there's no question about that. So businesses need to find

advantages where they can, and being open more often isn't necessarily a bad thing. Certainly, when I drive by the stores in my own community that are open on weekends and there's no shortage of people shopping in them; in fact, it's funny because, for 40 years, I worked in an industry that ran 24-7, and nobody thought that those working people should be able to shop on a Sunday because it just was—everything was closed.

So, this may very well be a step in the right direction that allows stores to be open and allows shopping to cover expanded days. It's unfortunate that this government's narrow-mindedness precluded it from thinking really too far outside its ideological box and looking at other days that may be significant for people.

They've recognized Remembrance Day, and good for that, but like I brought up during the question period—just looking at days like Thanksgiving Day, that are really, in Canadian culture, whether—regardless of religious affiliation, is a day that people can be with their families and really spend that kind of time being thankful without having to worry about going to work.

And so I really would have encouraged this government to look at expanding the number of days and—not meaning that they should give two or three days off at a time, but, really, looking at more of the days that they could have extended this right to, so that workers knew that there were going to be more opportunities, if you will, for them to spend time with their family.

And, certainly, Sunday is a day that the traditional world always takes as the day of rest—kids aren't in school on Sundays so there certainly are compelling reasons why, I guess, Sunday could be the designated day of rest, the day that families could be together, but there could be some thought given to other possibilities as to what those days might be.

And I want to touch a little bit now on this government's 'assertation' that they spent time consulting with people, because I've had conversations with at least the labour side of the labour management review commission, and the one comment that really stuck out in my mind from them was, there was no real argument with the concept of this bill, but what there was was an absence of consultation.

So, I'm not sure how the minister thinks what took place was real consultation, but, I guess, for this

government, that's what they do with consultation anyway, is: they may ask a question; doesn't mean they're going to listen to the answer they get. Certainly, they're big on now having online consultation where their supporters and their friends all get online and fill out surveys multiple times.

And maybe they follow them, maybe they don't, but most of those kinds of surveys are structured in such a way that the outcome is guaranteed before the first question's ever answered. Those kind of things aren't real consultation, and what this government has proposed that they did in developing this bill wasn't real consultation, either, so.

So they really need to work some on what they believe is consultation and what is real consultation. You know, they—kudos to the members of the Labour Management Review Committee that did sit down, even though their opportunity for consultation had been interrupted by the Premier's (Mr. Pallister) election, which also may have been a constitutional question that—fixed election date semantics, I guess, neither here nor there for this Premier and his government.

But they did provide an opinion, and the Premier really jumped the gun on that consultation process and said that they were going to repeal the existing legislation outright, which was not really what the Labour Management Review Committee had been planning to suggest and perhaps did after the fact that they were sure that, without repealing the existing legislation, that the appropriate changes could have been made. And, really, a spirit of consultation and co-operativeness could've been fostered between employers and management and governments. And moving forward—that's not what happened, so here we are.

I want to really touch on something that the Premier talked about earlier today. And it applies to this piece of legislation, as it does to any number of things that the Premier and his government have done. You know, on the weekend, we saw where he tried to call out a reporter for not suggesting to him how he should've handled things differently, that somehow it magically became her fault for his bad decisions.

And really, there's been an opportunity for the Premier to listen to the Labour Management Review Committee yet again, because they did provide him with some suggestions, I'm told, but he chose to ignore them. And then, I suppose he'll stand up and say, well, nobody gave me any ideas. Well, the problem is, unless it's his idea, he doesn't listen to it anyway.

So even when this Premier and this government are given constructive ideas on how to make things better, how to work with different factions to make things better, and then—certainly, labour has never been opposed or shy about sharing ideas on how to do things differently. We've certainly seen that from labour's suggestion about fair minimum wages. We've seen it from labour on suggestions about paid sick leave. We've seen it on any number of pieces of legislation that this government has instituted, but this Premier and this government weren't willing to listen to those ideas.

In fact, you know, there used to be things in place other than just the Labour Management Review Committee that provided government with ideas and options and suggestions and things, like the workplace health and safety review committee that was so successful in many years in coming up with consensus suggestions to the government, consensus recommendations to the government on how to make those regulations, those workplace health and safety act things more meaningful for employers and for workers.

And you know, that consultation process wasn't always easy. I was a part of it for many years and it really was remarkable at times that we came up with consensus recommendations that everybody fully explored the options and came up with new options. And then, really, that's the whole basis of how that conversation should work—is listening to those ideas and building on those ideas and coming up with the idea on how to make things better.

\* (15:50)

So, in this case, in this particular piece of legislation, we know that the government didn't really consult all that hard, didn't listen all that well to what was being suggested, not to everybody, anyway. Certainly they did to certain groups, not so much to other groups.

So, you know, some of the things that I wish the government would've listened to—and I don't know whether anybody from the different cultures in Manitoba, whether they had an opportunity to voice an opinion prior to this legislation coming into being; certainly it would've been worthwhile to talk to people outside of their normal government circles and see what kind of days they might have thought were important, either for religious reasons or non-religious reasons.

So that kind of consultation, I'm sure, would've been very worthwhile for the government to really come up with a better piece of legislation. So they've attempted to fix something, but could've done so much better with what they developed if the consultation that they're not really all that big on would have taken in a broader scope of ideas and beliefs. And I think I understand why the government chose to leave it up to municipalities to implement business hours and days: because they certainly didn't want to upset people in their base of support.

But the problem with what they've done now, by leaving it up to the municipalities, is it will create this patchwork of who knows what's open in which town; who knows what's open in which municipality. And it may create opportunities in neighbouring communities to take advantage of other communities' desire that stores will be closed on Sundays.

And then, yet, this Premier (Mr. Pallister) and these ministers don't grasp that concept that they're supposed to be the leaders. And, I guess we've seen any number of instances where that leadership has been sorely lacking, and this is really just another instance of the abject failure of this government to show leadership, is leaving it up to somebody else now to make the decision. They don't want to be a part of making the tough decisions, if you will.

So, will this help some businesses? Absolutely. Certainly it will. Is there more that they could have done, particularly right now during this pandemic? There's so much more they could've done to help small businesses: things like rent assists, that are forcing many of those small businesses out of business. Government didn't do that because that was going to cost them money.

Small, local businesses really are a part of the fabric, particularly of small towns. And I'm sure in the city of Winnipeg they're fabrics of neighbourhoods as well that are struggling so, so mightily at this point in time to try and stay viable, and yet, really, the government hasn't done a whole lot to help them out.

But, really, they haven't done a whole lot to help the people that work in those businesses out either. They haven't really provided paid sick leave; they haven't provided much in the way of income replacement to try and help those folks out. We've seen any number of suggestions that have been made for the government to try and do more to help small local businesses out, and they failed miserably.

So we—well, in fact, one of the things that I've done for northern affairs communities is—they've struggled with the COVID lockdowns. A lot of them have had to step in and help out their Indigenous community partners with blockades and supplying services to both communities, so they had asked the minister of Indigenous and northern affairs to cover some of those increased costs. And so far the answer they've gotten from that minister is, well, no. You keep track of your costs, but you should find it from within. So really they're telling those communities to cut something else, because they already don't have enough money to run their communities the way they should be run anyway, because the government isn't offering enough in the way of assistance.

So those northern affairs communities now are being left out again, and now they're going to have to decide which stores should be open and which stores should be closed. Well, the majority of them are closed now anyway, aren't they? Except that the government's made exceptions to their everything closed, which is fine; a lot of those communities need to have access, and access is so limited already that some of the initial restrictions put in place on what was deemed essential and what wasn't didn't make sense in some of those communities.

And of course then they come out with an announcement and then have to turn around and change the announcement because communication is also not this government's strong suit. That—well, it was going to be those restrictions that they put in place weren't going to apply to Flin Flon, Thompson and The Pas, when in fact, oops, yes, they are; those restrictions are still in place for those. So now cause—create mass confusion yet again in those communities as to what's open, what's closed, what's allowed to be purchased and what isn't. That's—really the mantra of this government is talk a lot about consultation and talk a lot about transparency and talk a lot about communication, but they're not really good at any one of those three things, are they?

So what we've seen now is the government saying, okay, we can get behind and support this particular concept of allowing stores to be open but allowing workers the right to refuse to work on a Sunday. And I guess it—the proof will be in the pudding, whether what they've suggested there is going to work for working people who say that they can't work on Sunday. I guess we'll see as time goes on if really what they've said is sufficient to protect those workers that—particularly in some medium-sized communities—not communities but workplaces.

I can see where there could be problems going forward with workers saying that, yes, I'm going to exercise my right to refuse to work on a Sunday, and an employers—sometimes not being the best—will suggest that there be repercussions for working people doing that. So, I hope that's not the case, Mr. Deputy Speaker, but I suspect that somewhere down the road, we will be hearing about and dealing with that very thing.

\* (16:00)

So, another thing just kind of popped into my mind is the government has left the decision as to which municipalities will enforce different laws when it comes to Sunday shopping. Will they now offload the responsibility for enforcing those municipal bylaws onto the municipality as well?

So, is this another case of the Province dodging their responsibilities? Who's going to be left on the hook to try and follow up on which stores are open and which ones aren't? Certainly, it's going to be another cost to municipalities if they have to employ more bylaw enforcement officers to enforce legislation that the government has bailed out on and left up to somebody else to implement. So that's a question that we haven't seen an answer to yet, and hopefully at some point in time we will.

And I just—I guess I want to end on as positive a note as I can muster when it comes to this particular government and how they treat working people. They've given working people the right to refuse to work on a Sunday and Remembrance Day.

Maybe—maybe—this is the start of this government actually showing some respect to working people in this province. Maybe the government can use this as a springboard to treat people in this province with the dignity and respect that they deserve. Maybe—maybe—this is the first step in this government entering a brave, new ideological world where working people matter. Maybe, but I don't think so. I suspect we'll see more of the same.

So with those few words, Mr. Deputy Speaker, I will cede the floor to someone else. I'm sure others have things they wish to add as well.

Thank you very much.

**Mr. Jon Reyes (Waverley):** It gives me great pleasure to speak on Bill 4, the retail business hours act, various acts amended or repealed.

Mr. Deputy Speaker, when one brings forward and proposes a bill, questions that are asked are, like,

what is the rationale behind this bill? Why do we need this bill to be updated? What other jurisdictions or provinces are doing? Is there demand out there to have this bill proposed or updated by the citizens of Manitoba?

Well, Mr. Deputy Speaker, when it comes to The Retail Businesses Holiday Closing Act, Manitoba is currently the only western province which still restricts retail businesses from operating on holidays and Sundays. By—having more restrictive rules than neighbouring jurisdictions puts Manitoba's retail businesses at a disadvantage compared to online retailers and businesses in other provinces.

So this already tells you, Mr. Deputy Speaker, that it is not fair compared to other provinces, that we must take a look at the current act and—to see, as legislators, what we can do to update during these times.

I used to own and run two small businesses, Mr. Deputy Speaker. One would be open seven days a week during mall hours at the Polo Park shopping centre. My other business would be open six days a week and closed on Sundays. My wife and I gainfully employed 25 people over the years when we were running the two small businesses.

But before I go on, Mr. Deputy Speaker, I want to, for the record, recognize my wife for allowing me to serve as an MLA starting in 2016, while she ran our two small businesses, employing new and incredible staff, attending to clients, doing and meeting with payroll, working on customer quotes, marketing the business, and all the while also working as a casual nurse—and did I mention a devoted mother; someone I'm very proud to call my wife. Thank you, Cynthia Reyes.

As you know, as you've heard, Mr. Deputy Speaker, business owners lead very busy lives, professionally and personally, but these types of individuals get into working for themselves and serving others because they want to meet their customers' needs. So in the case of Bill 4, how do we—Manitobans' needs if, as I mentioned, the only western province which will restrict retail businesses from operating on holidays and Sundays through this act?

Many businesses, including businesses like the Food Fare grocery chain, have been disputing this act for some time now. Why? Because they can't meet their customers' needs because of these restrictions. As we know, groceries are essential needs.

Mr. Deputy Speaker, I want to share with you a story which will explain why Bill 4, The Retail Business Hours of Operations Act, is important to businesses like Food Fare.

My good friend Ramsey Zeid and his family own Food Fare groceries. His father, Wajih "Moe" Zeid, came to this great country with \$200 in his pocket and a work ethic you rarely see in modern days. He worked three jobs for approximately 10 years. He worked full time at Manitoba Sausage, now known as Winnipeg Old Country Sausage. He started off by cleaning the smoke room where they smoked all the meat. He also worked part-time at Gondola Pizza and part-time delivery driver for Chicken Delight. He worked as much as he could at whatever he could to give his family a better life than he had in his native Palestine. That's why he moved to this great country of Canada.

Forty-five years ago he purchased his first corner store and worked seven days a week to provide for his family. Fast-forward to present day: the Zeid family owns and operates five Food Fare grocery stores with approximately 200 employees. The great people that work with them at Food Fare are not just employees. They like—they are like a family to them, with many of them working with Food Fare for years. Their longest team member has been with them for almost 40 years and a couple over 30 years and many working with—at Food Fare for 20 years. They also have many university students working part-time. And as many people know, being a university student comes with a lot of debt and payments: student loans, rent and food, just to name a few.

When Food Fare opens on statutory holidays, the Zeids always ask their employees if they would like to work. Never do they force anyone to work holidays, as it's always the university students that volunteer first. And from Ramsey Zeid, why wouldn't they? They get paid double and a half to work the shift; it's a no-brainer for them.

Stat holidays are typically the busiest days of the year for them—at Food Fare. For many people that work shift at different companies, it's a day for them to catch up on a lot of different things, and one of them being grocery shopping. It only makes sense.

Many people always say stat holidays are days people can take off, spend with family, which the Zeids in—may, like myself, and for everyone in the House, totally agree with. Family is the most important. But what about the families of the people that work at large pharmacies? Yes, pharmacies are

essential and can't close, but today's pharmacies are large—are a large grocery store with a little pharmacy in the back.

What about the families of the person that works at the local LC or the casino?

Holidays like Easter and Christmas are great holidays if you're Catholic and Christian like myself, Mr. Deputy Speaker, but what if you're not? My constituency of Waverley is arguably the most diverse in this province. I take pride in representing the many diverse and ethnic communities there. But what if you're Buddhist, Hindu, Sikh, Jewish, Muslim like the Zeids? Christmas—with all due respect—to them, it's just another day.

Every year the Zeid family celebrates Eid al-Adha and Eid al-Fitr, the two most holy holidays in Islam. Food Fare is still open, but the Zeid family chooses to take the day off. They have a great team that can operate those days while they are not there.

One holiday isn't better or important than the other. It depends on the person and their personal beliefs. Canada takes pride in being a multicultural nation. Manitoba is the home of hope for many. This beautiful land of ours has people from every country and religion from all over the globe. People leave their homelands and come to Canada and our province for the lifestyle it offers: things like freedom of speech, choice, and expression. The Zeids love this country and our province. It has given them the life that they would never have had in Palestine. That's why their father, Moe, is insistent on giving back to the community that gave us so much.

So, Mr. Deputy Speaker, repealing The Retail Business Holiday Closing Act will eliminate the restrictions on holiday and Sunday shopping hours, thus providing a level playing field among retail businesses, and then will align Manitoba with the western provinces. The bill will repeal The Shops Regulation Act, which sets out a variety of antiquated rules, allowing municipalities to pass bylaws to restrict shopping hours. Municipalities will continue to have authority under The Municipal Act to regulate retail business hours within their jurisdictions as they see fit. And this authority will be expanded to include liquor and cannabis sales.

\* (16:10)

The right of retail workers to refuse to work on Sundays is maintained and will now be enshrined in The Employment Standards Code.

Before I conclude, to the front-liners—nurses like my wife and her colleagues, doctors, first responders, truck drivers, retail workers including grocery clerks, also teachers, parents and volunteers—who are keeping Manitoba open, safe and secure, I say, thank you.

**Mr. Mark Wasyliv (Fort Garry):** I rise on this bill, and it's one of the very personal bills to me that I feel I need to put some comments on.

I come from a ethnic and religious minority here in Manitoba, and I don't see my Manitoba reflected in this bill. I represent the wonderful constituency of Fort Garry; a full 25 per cent of my constituents are newcomers. I do not see their Manitoba represented in this bill.

My grandfather came to Canada—he was a Eastern Orthodox priest—and he was what they called a pioneer priest. He would travel around western Canada, and he would go to communities where there was a concentration of Ukrainian immigrants.

And he would organize the community, much like community activists would, and would build a church from nothing. And these were dirt-poor immigrant farmers who had no money, but they would bind together and build those beautiful onion-dome churches that you see across the prairies.

And he would organize the community and get that church going, because it was more than a church; it was a community hall. It was a hub where people who had nothing, who were strangers in a strange land where the Canadians were hostile to them, where their children would get beaten in schools for speaking their mother tongue—they had a sanctuary, they had a safe place upon which they could gather and support one—each other, and build self-reliance and eventually become successful Canadians.

And once he established that community, he would move on to the next, and the next, and the next. And my grandfather's responsible for countless numbers of church communities in northern Alberta and BC, where you find large concentrations of Ukrainians.

My father followed in his footsteps and became a Ukrainian Orthodox priest and had a parish, until recently, in Transcona and has been serving that community—also had a parish with—in southern Manitoba, in Vita, and we have—one of our members from Vita, actually, was his old parishioner.

And the reason why I'm going through all this is that I didn't have the typical Manitoba story. Because

as Ukrainian—of Eastern Orthodox background—I don't celebrate December 24th or December 25th. That's just another day to me. My Christmas is on January 6th and 7th. My New Year's is on January 14th.

We have numerous religious holidays throughout the entire year that do not accord with the Protestant or Catholic—Christian religions.

So, growing up in Manitoba, it was a usual and regular thing for me to be in a school desk on my Christmas. And it wasn't acceptable in the '70s and '80s, and it wasn't recognized that it was legitimate, that—despite it being one of our high holy days—that you would miss school or work.

My parents were both public school teachers; they would have to go to work. And my father, a priest, would have to teach in a school when he should have been probably in a church at that point. And that was the culture back then. And, certainly, we've come a long way in Manitoba. The problem is, this bill has not.

I just recently found out that I actually have some Jewish heritage in my background too, which I didn't know. And, of course, Jewish High Holidays—their most high holy day is on Saturdays.

And we have huge immigration—at least, we used to until this government started tanking the Manitoba economy, but we used to have huge immigration into Manitoba and the people that were coming were from—they weren't from Europe and they come with very different religions, very different holy days. And Sunday is not a special day in their calendar.

And why this all matters is we like to puff up our chest—especially when we look at the Americans—oh, we're a multicultural country. We're—we believe in diversity. We believe in accepting and tolerating people from other cultures. Do we? Do we, really, when a government can come and bring forward a piece of legislation that looks like this?

I heard a great definition of what privilege is and I like it a lot. And I think it exemplifies the Pallister government and it probably should be on their business cards and the motto over the door to their headquarters: privilege is thinking something isn't important because it doesn't affect you. And that's what this bill is all about.

It ignores who Manitoba is. It ignores what we've become as a community and it still thinks that we are back in 1907, when the federal government first

passed Sunday closure laws. This bill hasn't gone much further from 113 years ago, when this was entrenched in law.

And I have been very critical of this government for what I see are some very overtly racist policies and racist laws. This government has used coded language to send messages to Manitobans that they're not all welcome, that they are less than and that this government not only doesn't support them, it will actively undermine them and their families and their future in Manitoba.

Now, in fairness to this government, this bill isn't that but, in many ways, it's more insidious. Because this is about systemic racism. This is about a government not caring enough to get it right. They're doing things that are expedient and convenient for them that works for the people that they see in their Manitoba and are ignoring those that it doesn't. I did not hear once the minister say that he went to any multicultural organizations or groups and asked them to consult on this bill, because if he had, he would get a very different response.

So let's look at the history of this bill and how we got here. We have a government that's true colours were showing when it comes to small business. This is a government that has been, oh, let's just say hostile to small business; in every mind, neglectful. Unless you were a large, international conglomerate agribusiness where the Premier (Mr. Pallister) can take trips to exotic locations in Europe at taxpayer expense, this government has no time for you.

And we see that with the pandemic and we see that with them not being there for Manitoba small businesses. So before the pandemic, what we saw is shades of this where a number of small-business owners we—were expressing the ridiculousness of our current law and it was right for them to do it. It was right for them to point out what was wrong with our law.

What this government heard was: Oh, you want to have business on Sunday without restrictions. What they were telling you was: We do not come from a Christian background in Manitoba. We are Manitobans born and bred. Our laws do not have a place for us. Our laws discriminate against us. Our laws need to change.

\* (16:20)

The government didn't hear that message. All they heard was: Oh, you want to open on Sunday. Well, you know, we can live with that.

And so this—they get hammered in the media over and over again on this issue. It is embarrassing to the government. So, like so many things that this government does, it's all about the press release.

This bill—I don't know, like, two or three pages that it is—is cobbled together overnight and it gets rushed through. There's no consultation.

Now, this is an important issue, and the government was right to at least go this far, but I would want to urge the government to slow down, have some consultation, amend this bill so it actually reflects Manitoba, it actually reflects our values and who we are and who actually lives here and is going to live here for the next hundred years, because this bill does not.

So, yes, you had a PR problem. Yes, you were embarrassed because small businesses were calling you out and you have some notion that you own the small-business folk, which is unfortunate because you certainly haven't earned it. So you cobble this bill together and you rush it through. And here we have it.

You want to entrench Sunday as a day of rest where workers have the right to refuse. Now, that's fine, but the problem is, with this, is the historical legacy of this. This stems from 100-plus years in Canada where, because of Christian Sunday religious influence, we force businesses to close on Sunday. So, as some balancing act in the 1980s when this law was struck down by the Charter of rights, the government of the day said, okay, you know what, we're going to open up Sundays, but as a trade-off to practising Christians, we're not going to force you to work.

So now, fast-forward 30 years, this government is still clinging to that—is still clinging to that compromise, is still worried about Christian workers being forced to work on this day. Now, I applaud them for at least having that sensitivity, because normally this government doesn't even show that, but it's time to get this government out of the 1980s. Thatcher is no longer premier over there. Reagan is no longer president. And it's time to update our laws and bring them into the new century. And what that means is we do not privilege a specific religious day as a day of rest.

Workers should have the right to refuse to work on a holy day. And it doesn't matter what day. And you can draft a law that respects Manitobans, respects who they are and will also respect business at the same time. There's absolutely no reason to entrench this

Sunday law in place. And to say that it's not religious is disingenuous. It is absolutely disingenuous.

Now, we have evolved—mostly because of unions and union contracts—those Manitobans who, because they're in a unionized workplace now, teachers and everything, they get laws in their contracts that allows them to get these religious holy days off. I'll tell you, though, it didn't have to be that way.

In the '80s, when I'm sitting in a classroom on my Christmas, my cousins living in Alberta did not because the government in Alberta, recognizing the large Ukrainian population there, had actually shifted the winter break to allow accommodation to a large population there—still a minority—so that they could also enjoy their holy day during the Christmas break.

So governments can act. Governments can put these laws in to make them as broad, as inclusive and as accepting.

*Madam Speaker in the Chair*

Because, at the end of the day, what message are we sending to Manitobans? We're sending a message that, if you are a western European Christian, you come from that background and you celebrate Sundays, we will accommodate your religion. Not only will we accommodate your religion, we will put it on a pedestal and entrench your rights in law; you will never have to argue with anybody about it, you will never have to fight over this. It is a conversation which is settled. But if you are anybody else that doesn't fit in that dynamic, now you have to—according to the Finance Minister—go to the human rights board. Now, I'll tell you, as a lawyer, that's great we have a Human Rights Code, that is progress; it also takes seven years for a case to get resolved at the human rights board.

So if you are aggrieved and you're a retail worker, someone who's probably very vulnerable to begin with, are you going to have the time, the money, the resources and the ability to fight for something esoteric like a religious holiday at a human rights board? That is insulting to suggest that that's the recourse, and it just shows how much this government is privileging certain Manitobans over others. Certain Manitobans, your rights are just presumed, they're accepted, they are validated, they are held up; and other Manitobans, well, you know what, you don't like it, go to the human rights board and see what happens there.

What on earth message is this government sending to Manitobans? If you come from a religious

or an ethnic minority, how are you part of this country? How are you part of Manitoba when your government thinks so little of you that they're going to make you jump through those types of hoops?

Now, if that isn't bad enough, we also have to accept that our society is becoming less religious. And part of freedom of religion is freedom from religion. And if we accept that people can have a day of rest—which happens to coincide with a religious day—what about all those people who have no religion, who don't practise any religion? Do they get to have a right to refuse work on a Sunday? Well, no, because they have to frame it in these terms, and would an employer allow them, if they had no religion, just simply, yes, I don't want to work. Or are they going to be scrutinized? Well, hey, you told us that you're an atheist; you have to work.

And why does it have to be Sunday? We know that many busy working families, that's not necessarily the day that their schedules line up, that's not necessarily the day where they can actually have a family day because of shift work and other things. Why not allow workers to have these days of rest throughout the year? And this government really hasn't articulated why it's a bad idea to broaden this law, why it has to be so narrow.

Now, I suspect it's because they really didn't care about this issue; that this was a bill that was meant to get an embarrassing news item out of the news cycle, and they didn't actually pay any mind to it and to think how this is going to affect Manitobans. And it comes back to the issue of why can you only refuse Remembrance Day? You can't refuse any other statutory holiday, you can't refuse some of your High Holidays from your religion, you have to work on those, but Remembrance Day—an important holiday for sure—but I would think to most Manitobans, their High Holidays would be as equal or as important to Remembrance Day.

So we have other civic holidays which are critical for family time and rest, like Thanksgiving, and we don't elevate them as much as we do Remembrance Day, which it's a curious thing. This government hasn't explained the rationale about why that.

Part of the reasoning I did hear was, well, you know what, we've had this law in place for 25 years, and there's really no reason to change it, so we're going to keep it. And again, there's no reflection that Manitoba is not what it looks like 25 years ago and we need to update this law. The minister talked about—

he's all about choice, giving—he said people choice—he's really not interested in people having choice, he's interested in a small number of small businesses having some expanded hours. He's actually taking the choice away from many Manitobans and entrenching the lack of choice into law. If he was actually sincere about choice, this law would look very, very different.

\* (16:30)

The other issue with this bill is, of course, it can be undone through regulations, and that has been a very typical strategy of this government. It—they will come with the sort of very shallow bills to the Leg. and say, pass this, but we're going to have all these regulations where the actual meat of the bill is in them.

And, of course, here, the government can make exceptions to the right-to-refuse rule. So they can stand up in the Legislature today and say we want to protect the right of workers to refuse, but what we know is going to happen is they're going to turn around in regulations and they are going to take those same rights away. They are going to create so many exceptions that very few workers will actually be able to say no to working on Sundays.

And this government did not get this bill passed in the spring. They have had more than enough time to put in law what those exceptions are. Why are you afraid to put them in the body of the bill?

If this is about rights of Manitoba, if this is about protecting workers, then say who you're protecting and who you're not. Let Manitobans debate whether your exceptions are legitimate, because we all know that regulations get less scrutiny than legislation does. And you can pass vague pieces of legislation and then do all manner of sin in the regulations, and that, essentially, is what's going to happen here.

If we're serious about protecting workers, if we're serious about protecting their rights, put it in the legislation and then you can't backtrack on the regulations. But, of course, this government won't do that, because that's their strategy to begin with. And so again, this is about public relations; this is not about making good law.

And then, of course, the other issue here is the—I guess the deferral to municipalities, that they're going to allow individual municipalities to make up their own rules. And I guess I can understand, because part of their rural base may not be very happy with this law, and they have to be sensitive to that.

It's funny, when the Pallister government's electoral fortune is on the line, they become very sensitive and consultative and then will share decision-making power with local government when it's something that they're worried about and something that they value.

I want to contrast this with how they treat local school boards, democratically local school boards that are elected that express the values of their communities. This government absolutely hates that they have autonomy. They want to get rid of them, amalgamate them, and they want to make sure that even with the amalgamated school boards, that they have to follow the dictates of this Premier (Mr. Pallister).

And we see how that—well that's working for Manitoba during COVID. Would you trust that with your children's education? Well, as a parent, absolutely not.

But what they've done in the BITSA bill, which is a huge blow for democracy in Manitoba, is they have given themselves the power to pre-screen elected school boards that have the power to tax their budgets, and if they don't like the budget, they can send it back with their instructions. So, essentially, the Premier is going to write the budget for democratically elected school boards.

The other thing they're doing is they're taking over the pay structure for senior executives in, you know, school boards, RHAs, municipalities, and they're going to dictate to those officials what their salary is going to be.

Now, these are not entities that are controlled by the government. They have democratically elected boards; they have their own jurisdiction and mandate, and the government is creating a situation where, by taking over the chief executive's pay structure, they basically are going to control those entities. Because imagine being that school board superintendent who is going to a meeting with a government official trying to advocate for a chronic underfunding of the education system in this government. Try negotiating across the table with somebody that directly controls your paycheck and can adversely affect it—

**Madam Speaker:** Order, please. Order. I'm going to ask the member to—or remind him that debate on the bill needs to be relevant to the bill that's on the table before us. I think he's straying quite far from the actual topic of Retail Business Hours of Operation Act and I

would like the member to bring his comments back to a relevant nature to that bill.

**Mr. Wasyliw:** The point I was trying to make, and maybe not clear enough, and I'll try to bring it down, is that when this bill devolves power to municipalities, there is a great deal of hypocrisy here and very selective with this government.

And what I'm trying to show with the example of elected school boards is that this government will override the democratic will of Manitobans for cynical political reasons, but when they take those same cynical political reasons and are trying to represent a constituency that perhaps is favourable to them, they will then bend over backwards and say, oh, you know, we want to let local government decide these issues and we don't want to have the heavy hand of the Province step in and tell people how they should live. Well, the point I'm trying to make, Madam Speaker, is, they do. They do it all the time in significant ways, and this is just simple hypocrisy.

So when I talk about what they've done with school boards and how they've attacked the autonomy of school boards, it just highlights how hollow all this is, how empty the rhetoric is from the government benches, and how, as Manitobans, we have to guard against this retrenchment from our democratic norms. And, you know, this may be a retail sales bill, but it becomes very symbolic and it becomes very important to show where and who this government values, because that's the key.

This is not a government for all Manitobans, and it's interesting because I don't think this Premier (Mr. Pallister) has ever used that rhetoric because he can't, because he has no interest in representing all Manitobans. This government doesn't have interest in representing everybody, and they have, over the course of their mandate, picked and choosed who they think has value, who they will give a voice to, who they will ignore and who that they will make laws that actually will impede or diminish.

So, we certainly agree, on this side that Manitoba business owners should have some more flexibility when it comes to deciding work and holiday hours, but there has to be a balance. The member from Flin Flon talked about the balance of respecting workers' rights, and subject of my brief comments here today is we also need balance when it comes to the cultural aspects of this bill and whether they actually reflect who we are as Manitobans, whether they advance the cause of multiculturalism, or is this a step backwards.

And I say emphatically that this is a huge step backwards for Manitobans, that this will send the absolute wrong message to the people of Fort Garry and elsewhere. This certainly sends the wrong message to people in my religious community that don't celebrate like other people and often have to fight and have had to fight to be allowed the dignity to worship as they have for a millennium like their ancestors.

\* (16:40)

So with those brief comments, I'd like to thank Madam Speaker.

**Mr. Josh Guenter (Borderland):** It gives me great pleasure to put a few words very briefly on the record in support of The Retail Business Hours of Operation Act.

Let me just say too it will be a tough act to follow up on my good friend, the member for Waverley (Mr. Reyes) on his passionate and sensible words in support of this legislation—this important legislation.

Let me just say I was a little puzzled, Madam Speaker, listening to the remarks of the member for Fort Garry (Mr. Wasyliw), and, you know, I understand his passion—well, let me just say that I do find it ironic that just last week it was members opposite and the member for Fort Garry that put forward a motion alleging this government was not supporting small business, and yet here we have a bill that has been put forward by the small-business community in Manitoba; this government is bringing it forward. We've received—we received a mandate last year in the election—resounding mandate—to bring forward this piece of legislation, and it's denounced as systemically racist and all these other terrible things—as a step backward, I think, was a phrase I heard as well.

So, Madam Speaker, I think it's just an illustration of the fact that the members opposite can say they speak in support of small business, but when it comes time to demonstrate, to cast their votes to demonstrate some real support for Manitoba's small-business community in the form of this critically important piece of legislation, I don't think this legislation could be more timely when you're looking at trying to balance the playing field between the big stores and small business. This is incredibly important legislation, and it's well-thought-through legislation, and the Minister of Finance (Mr. Fielding) put forward some good words to that effect as well.

So, Madam Speaker, I think, you know, on this side of the House, we recognize that small businesses are an essential part of the Manitoba economy. Small businesses employ many Manitobans and help keep food on the table for many people, and we know that currently the complex rules create a two-tiered and unfair system in Manitoba. We know that, for example, restaurants, casinos, liquor and cannabis stores are not subject to the same restrictions as other retail businesses. Pharmacies are allowed to sell groceries on holidays, but grocery stores are not. Gardening supplies can be sold on holidays, but power tools cannot.

So, Madam Speaker, it's long past time to get rid of this outdated system, and that's why we want to level the playing field for local shops to compete against 24-7 online retailers and retailers in other provinces with less restrictive rules. This legislation is about responding to the needs of Manitoba's business community.

Now, what I'm particularly pleased about as well, Madam Speaker—both as a small-c conservative philosophically and as someone who represents an area that is just chock full of hard-working business owners, and as well as an area that has a fairly significant faith community—that we are allowing, through this legislation, municipalities to keep—to make a determination on whether or not they want to implement the measures in this bill in their respective areas.

So, Madam Speaker, it's about choice as well. And I would just say this in response to some of the concerns that were put down—and, of course, our Minister of Finance (Mr. Fielding) did a great job of pre-empting these concerns. Nevertheless, you know, it seems that his remarks were not considered, but—by some, unfortunately, but let me just say that The Human Rights Code already protects the religious observance of people of all religions and requires employers to reasonably accommodate an employee's need for time away from work for religious reasons.

Additionally, the Supreme Court has recognized Sundays as a secular day of rest and not a specifically Christian observance. So we do not feel that maintaining the right to refuse work on Sundays unfairly favours any one religious group.

So, Madam Speaker, I am completely in favour of this piece of legislation. I think it's sensible. I think, you know, obviously it comes from the business community in Manitoba. It's long overdue, and I look forward to voting in favour of it.

Thank you, Madam Speaker.

**Mr. Dougald Lamont (St. Boniface):** It is a pleasure to speak to this bill. It is a—there are some—we have some issues with it. In particular, with the right of people from different faith groups to be able to refuse work, essentially that we have a—we have always lived in a pluralist society with people from not just many Christian in denomination but many faiths and many spiritualities; that is something that Manitoba was founded on the principle of people having—being able to celebrate their faiths and teach their children in that.

But I do want to step back in history, if I can. If—I table a document from 2012 because in the 2000 election—2011 election, the only party to support opening up Sunday shopping was actually the Manitoba Liberal Party. It was opposed by the PCs and the NDP at the time.

And I'll read an—a newspaper article from the Winnipeg Free Press: Province starts to fast-track revisions to Sunday shopping. After years of fending off requests for reforms to Sunday shopping hours, the NDP government is treating the matter with a sense of urgency. On Friday, it asked Manitobans to make their views known on the controversial subject, setting a three-week deadline, May 11th, for responses. At the same time, the Labour minister announced a committee comprised of representatives of business and labour will be asked to review the issue and make recommendations to government. It, too, is expected to report back within a few weeks. If we can, we'd like to change this—the law this session so that new Sunday shopping hours can be in place certainly for the fall when people start to do the big holiday shopping, the minister said Friday.

The current Minister of Justice who—the member for Spruce Woods (Mr. Cullen)—who is—who was then the Progressive Conservative Labour critic, says he believes he knows why the government has a renewed sense of urgency about Sunday shopping. To me, this is a bit of a distraction. They're trying to distract Manitobans from the fact we had nine new and additional taxes added to Manitobans' budget. He said, better would be policies that would make provincial businesses more competitive. And, as I've noted, the provincial Conservatives' policy on Sunday shopping hours had mirrored that of the NDP. Only the provincial Liberals had called for liberalized hours. And, in fact, I—as I recall, the Manitoba Liberals received a pasting, not just electorally, but in terms of criticism for what a bad idea it was back in 2011, how unacceptable it was.

We do have a number of reservations about the bill, one of which is that it creates a patchwork of regulation across the province. It means that different municipalities will have different rules. If you were a business and you own several businesses, then you have to, instead of having a single standard to be able to run your business in one—in Winnipeg and another one in Portage la Prairie, and another one in Brandon, another one in Flin Flon, you might have—you might be facing different rules and different closing hours for all of those.

We do believe that, of course, the people should have the right to be able to object, to stand up and have their own holy days respected. Certainly, it's not new that we've had people from many—as I said, people from many faiths here for—not just for decades but for centuries, whether it's people of the Jewish faith or Sikh or Muslim, that there should be a degree of accommodations that is reasonable there.

The one final thing that I would say is that the tradition of having a day of rest is incredibly important, not just to spend time with people, not just to spend time with family, but it was a tradition.

It is—considered a sacrifice and in honour of the Creator, if you want to put it that way, that—but it is also an important break and a right for people to be able to have some greater degree of control over their own lives, that over the—over many years we've seen people expected to work more and more.

And the fact that because wages have not kept up, that in some cases something like 20 per cent Manitobans have incomes approaching what they were almost more than 40 years ago, means the only way of actually being able to put food on the table or a roof over your head is by working more and more and more.

\* (16:50)

There are tens of thousands of children who go to Winnipeg Harvest every month, and they—and both of their parents are working, and it's because their parents cannot actually earn enough to be able to buy healthy food for them even though they are working full time. This is not uncommon. It is routine and it is something that has changed over the years.

So will add to that, that other further reservation, the idea that the only way we can get out of this or to improve our economy or make things more convenient for people is to make people work harder and harder and harder over longer and longer periods of time and have less and less holidays.

It is incredibly important to me, from the point of view of people being able to have, to be able to negotiate—not just their wage, but negotiate when they can work—and be able to do so without fear of retribution, without fear that they're going to be told, that they're going to be treated as a bad worker for—just for standing up for exactly what their rights are.

Because one of the most important things anybody can negotiate in their life, one—there are a couple of them—one is the value of the house you're buying and the other is how much you're earning, how much your work is worth, the price of your labour. The ability to negotiate that and the ability to be able to get time off, those are two things that are absolutely critical, and I don't think—quite frankly, it doesn't always get the respect that it deserves, not just as a matter of rights but as a matter of benefit for what it's like for people to be able to make a living and be able to sustain themselves and their families.

So, we will support this bill with reservations. We certainly would like to see an amendment considered that would allow people of different faiths to be able to opt out on different days.

I think that is something that is fair and reasonable in a pluralist society, where people of many faiths have gathered; that, ultimately, rather than just saying, well, this is a secular holiday, to say, well, let's—we can either—often, when—there are two options when we talk about these things.

We—people either say, well, nobody gets it or everybody does. And oft—too often, the rule is that, well, nobody's going to be able to get to do anything, or that we're going to treat it as if nobody gets to speak or nobody gets to mark their—celebrate their faith. I think it's much better if we're allowed, if we're—embrace the richness and diversity of what we have in this province and be able to allow people to speak up and worship as they please and not have work interfere with that.

Thank you very much, Madam Speaker.

**Mr. Diljeet Brar (Burrows):** Thanks for the opportunity to speak about this bill, Bill 4, that talks about businesses—retail businesses and workers who work for those businesses.

First of all, I want to say thank you to all the retail businesses and the workers who are the reason behind their success. And I want to say thank you to them for their fight against COVID, for standing up for Manitobans, for making sacrifices to minimize the spread of COVID-19.

We, the 57 people who have been elected and sent by Manitobans in this Chamber, we are supposed to stand for Manitobans. People expect us to bring forward resolutions, legislations that favour them, that support them, that benefit them, and that, too, without any discrimination. They expect us to be inclusive. They expect us to think about minorities, majorities and everyone; I mean to say, every Manitoban.

While this bill brings an opportunity for us to speak for our retail business owners and our hard-working workers, there is a lot that needs to be addressed in this bill. While this bill gives the retail workers the right to refuse to work on holidays and on Sundays, it does not talk about everyone from different ethnicities.

This bill tells us that local governments and municipalities, they will have authority over retail businesses and hours and days of operation, and this bill also amends The Liquor, Gaming and Cannabis Control Act; The Municipal Act and so on. But when we talk about the people who practise various religions, I don't think that this bill supports those people.

So I want to respect time here because we are approaching the clock at 5, so I would wrap up here and once again say thank you, Madam Speaker, for

this opportunity to put a few words on record regarding Bill 4.

Thank you so much.

**Madam Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Madam Speaker:** The question before the House is second reading of Bill 4, The Retail Business Hours of Operation Act (Various Acts Amended or Repealed).

Is it the pleasure of the House to adopt the motion? Agreed? *[Agreed]*

I declare the motion carried.

We will now move—or the honourable Acting Government House Leader.

**Hon. Blaine Pedersen (Acting Government House Leader):** Madam Speaker, I know that you have on your agenda to move to another bill, but I'm just wondering if it's the will of the House to call it 5 o'clock.

**Madam Speaker:** Is it the will of the House to call it 5 o'clock? *[Agreed]*

The hour being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, November 23, 2020

## CONTENTS

<b>ROUTINE PROCEEDINGS</b>			
<b>Introduction of Bills</b>		COVID-19 Pandemic Response	
Bill 67–The Public Health Amendment Act		Wiebe	920
Friesen	913	Pallister	920
Bill 212–The Mandatory Training for Provincial Employees (Systemic Racism and Human Rights) Act		Squires	921
Moses	913	Children With Disabilities	
Bill 217–The Legislative Assembly Amendment and Legislative Assembly Management Commission Amendment Act		Adams	921
Gerrard	913	Stefanson	922
<b>Members' Statements</b>		Child-Care System Review	
Robert Roehle		Adams	922
Morley-Lecomte	913	Stefanson	922
COVID-19 Safety Protocols for Schools		Education System Staffing Levels	
Altomare	914	Wasyliw	923
Jeannot Robert		Goertzen	923
Schuler	914	Personal-Care Homes	
Transgender Day of Remembrance		Lamont	924
Asagwara	915	Pallister	924
Turtle Mountain Flywheel Club		Manitoba Bridge Grant	
Piwniuk	916	Lamont	924
COVID-19 Safety Protocols for Schools		Pallister	924
Altomare	916	COVID-19 and the Homeless Population	
<b>Oral Questions</b>		Gerrard	924
Second Wave of COVID-19		Pallister	925
Kinew	917	Pandemic Staffing Support Benefit	
Pallister	917	Morley-Lecomte	925
Southern Health Region Staffing Levels		Stefanson	925
Kinew	917	Changes to Crown Land Leasing	
Pallister	917	Brar	925
Child Daycare Centres		Pedersen	925
Kinew	918	Pallister	926
Pallister	918	<b>Speaker's Ruling</b>	
Positive Cases of COVID-19		Driedger	926
Asagwara	919	<b>Petitions</b>	
Friesen	919	Dauphin Correctional Centre	
		Asagwara	927
		CancerCare Closures at Concordia and Seven Oaks Hospitals	
		Altomare	927
		Dauphin Correctional Centre	
		Brar	928
		Bushie	928

Personal-Care Homes–Pandemic Response Gerrard	928
Vivian Sand Facility Project–Clean Environment Commission Review Lamoureux	929
Dauphin Correctional Centre Lindsey	930
Maloway	931
Marcelino	931
Moses	931
Naylor	931
Sala	932
Sandhu	932
COVID-19 Income Supports and Homelessness Prevention B. Smith	932
Dauphin Correctional Centre Wasyliw	933
CancerCare Closures at Concordia and Seven Oaks Hospitals Wiebe	934

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

#### Second Readings

Bill 4–The Retail Business Hours of Operation Act (Various Acts Amended or Repealed)	
Fielding	934
Questions	
Lindsey	935
Fielding	935
Debate	
Lindsey	938
Reyes	942
Wasyliw	944
Guenter	948
Lamont	949
Brar	950

The Legislative Assembly of Manitoba Debates and Proceedings  
are also available on the Internet at the following address:

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