



House of Assembly  
Nova Scotia

## DEBATES AND PROCEEDINGS

**Speaker: Honourable Kevin Murphy**

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**First Session**

**TUESDAY, APRIL 1, 2014**

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House of Assembly  
*Nova Scotia*

**HALIFAX, TUESDAY, APRIL 1, 2014**

**Sixty-second General Assembly**

**First Session**

**12:06 A.M.**

**SPEAKER**

Hon. Kevin Murphy

**DEPUTY SPEAKER**

Ms. Margaret Miller

MR. SPEAKER: Order, please. We will now proceed with the daily routine.

**PRESENTING AND READING PETITIONS**

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MR. SPEAKER: The honourable member for Sackville-Cobequid.

**RESOLUTION NO. 807**

HON. DAVID WILSON: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the Sackville Kingfishers visited Bluefield High School in Prince Edward Island for the 16<sup>th</sup> Annual Subway Hoop Classic AAA Basketball Tournament in November 2013; and

Whereas the Kingfishers defeated the East Antigonish Mustangs 85 - 67, with Alex Carson scoring 39 points and Chris Roberts scoring 13 points, taking them to the championship game; and

Whereas the Kingfishers won against the Colonel Gray Colonels 93 - 76 to take 1<sup>st</sup> place in the tournament;

Therefore be it resolved that the Nova Scotia Legislature congratulate the Sackville High Kingfishers boys basketball team on their win in November's Subway Hoop Classic AAA Basketball Tournament in Prince Edward Island and wish them continued success.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable Leader of the New Democratic Party.

**RESOLUTION NO. 808**

HON. MAUREEN MACDONALD: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas it's often said that Nova Scotia's nurses are the backbone of our health care system; and

Whereas nurses have identified staffing levels on their wards in our hospitals as an issue, and that they are overworked and stressed, leading to sick days; and

Whereas the Health Minister told The Chronicle Herald, "Nobody should have to come to work and work in an environment where there's no chance of getting a break whatsoever from the demands of the job because they are one nurse short";

Therefore be it resolved that all members of the Legislature agree that nurses being overworked and stressed are issues that must be taken seriously by both the Premier and Nova Scotia's Health Minister.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Cape Breton Centre.

### **RESOLUTION NO. 809**

HON. FRANK CORBETT: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas health care workers across Nova Scotia know all too well what it means to take us back to the days of the Liberal Government of the 1990s; and

Whereas health care workers across Nova Scotia work tirelessly for their patients, ensuring they have proper care that is professional and caring; and

Whereas health care workers deserve the right to collective bargaining, free of political interference;

Therefore be it resolved that the member for Sackville-Beaver Bank stand up against his Leader's position that is taking away the rights of over 40,000 health care workers across Nova Scotia, including many in Middle Sackville, Upper Sackville, and Beaver Bank.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Sydney-Whitney Pier.

### **RESOLUTION NO. 810**

MR. GORDIE GOSSE: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas health care workers in Nova Scotia are challenged every day with situations most of us cannot imagine; and

Whereas the health care workers' dedication to working in Nova Scotia makes our province a better place to live; and

Whereas health care workers are seeking working conditions that will allow them to provide better care for Nova Scotians;

Therefore be it resolved that all members of the House of Assembly support the nurses right to strike in their pursuit for better health care for Nova Scotians.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Queens-Shelburne.

**RESOLUTION NO. 811**

HON. STERLING BELLIVEAU: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the College of Registered Nurses empowers nurses to realize their contribution to the health of the public and health care system; and

Whereas the public receives safe, confident, ethical, and compassionate care from registered nurses and nurse practitioners; and

Whereas nurses are among the leading contributors to the public safety of all Nova Scotians;

Therefore be it resolved that the House of Assembly recognize the contributions and importance of nurses throughout our province, and acknowledge and respect their contribution in an evolving health care system.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Chester-St. Margaret`s.

**RESOLUTION NO. 812**

HON. DENISE PETERSON-RAFUSE: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas nurse practitioners have advanced skills, training, and knowledge; and

Whereas these specialized nurses can order and interpret diagnostic tests, prescribe many medications, and provide top-notch primary care; and

Whereas nurse practitioners work with paramedics in our Collaborative Emergency Centres, providing competent and compassionate care in rural communities;



Therefore be it resolved that the Nova Scotia Legislature recognize the valuable services and skills of nurse practitioners in our province.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Sydney-Whitney Pier.

### **RESOLUTION NO. 813**

MR. GORDIE GOSSE: Mr. Speaker, on behalf of the member for Truro-Bible Hill-Millbrook-Salmon River, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas more than 40,000 Public Service workers are effectively having their right to collective bargaining removed; and

Whereas removing the right to strike by the Liberal Government comes without warning to those workers; and

Whereas the Liberal Government has shown a complete disregard for the state of labour relations in our province since forming government just a short seven months ago;

Therefore be it resolved that all members of the House of Assembly condemn the government for their poor mismanagement of labour relations in our province.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable Leader of the New Democratic Party.

**RESOLUTION NO. 814**

HON. MAUREEN MACDONALD: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas nurses in Nova Scotia are the largest group of health care providers, making them the backbone of our health care system; and

Whereas 2,300 registered nurses seeking fair working conditions throughout the Capital District Health Authority will be in a legal strike position on April 3<sup>rd</sup>; and

Whereas the Liberal Government has indicated these nurses should face discipline, if they take job action, that could come in the form of losing their licence;

Therefore be it resolved that all members of the House of Assembly condemn this government for encouraging the indiscriminate disciplining of nurses, which would result in our health care system being thrown into chaos.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Cape Breton Centre.

**RESOLUTION NO. 815**

HON. FRANK CORBETT: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas nurses play an important role in our health care system, delivering care to the most vulnerable people in our province and across Atlantic Canada; and

Whereas every person in their workplace deserves to be treated fair and with dignity, including nurses; and

Whereas the Liberal Government has shown time and time again that they are putting Liberals first, and not Nova Scotians, when making these decisions;

Therefore be it resolved that all members of the House of Assembly support the continuation of fair and open collective bargaining without political interference.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Sackville-Cobequid.

### **RESOLUTION NO. 816**

HON. DAVID WILSON: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas nurses with the coordinated effort of other health care workers provide a dedicated and devoted level of care to their patients; and

Whereas nurses deserve the right to negotiate a contract that is fairly bargained; and

Whereas it is the Premier who inserted himself into the middle of the nurses collective bargaining;

Therefore be it resolved that all members of the House of Assembly support the nurses in their wish to have a negotiated contract.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Sydney-Whitney Pier.

**RESOLUTION NO. 817**

MR. GORDIE GOSSE: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the Ivany Report declared that immigration in Nova Scotia must be a key priority and must increase greatly; and

Whereas the bankrupt country of Freedonia fears the neighbouring Sylvania is attempting to take over the country; and

Whereas many residents of Freedonia will be looking for a new home if the war proceeds;

Therefore be it resolved that all members of the Legislature agree that the Minister of Immigration should look to Freedonia as one possible solution to the labour shortage caused by nurses who leave the province due to the Liberals' essential service legislation.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Queens-Shelburne.

**RESOLUTION NO. 818**

HON. STERLING BELLIVEAU: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the Liberal Government seems committed to stripping health care workers of their collective rights - rights that existed for many decades; and

Whereas when Rodney MacDonald attempted to take away the health care workers' right to strike in 2007, he failed due to an overwhelming lack of support from the public and members of this House; and

Whereas in 2007 when Rodney MacDonald introduced wide-sweeping essential service legislation, the current Premier told him “essential services legislation will not work”;

Therefore be it resolved that the Premier take his own advice and stop heading down a road last travelled by Rodney MacDonald just seven years ago - by now he should know where this leads.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Chester-St. Margaret’s.

#### **RESOLUTION NO. 819**

HON. DENISE PETERSON-RAFUSE: Mr. Speaker, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas the Premier of Nova Scotia has said it is extremely important that we recognize the valuable contribution of all health care providers, including nurses, to the people of this province; and

Whereas recently the Premier said he would like Capital Health and the nurses to find a solution at the bargaining table; and

Whereas both the Nurses’ Union and the hospital administration had agreed to negotiate, indicating a willingness to continue to bargain until late into the evening;

Therefore be it resolved that all members of this House agree that letting the bargaining process between Capital Health and nurses happen without political interference would have been the best path for this Premier to follow.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

The honourable member for Sydney-Whitney Pier.

### **RESOLUTION NO. 820**

MR. GORDIE GOSSE: Mr. Speaker, on behalf of the honourable member for Truro-Bible Hill-Millbrook-Salmon River, I hereby give notice that on a future day I shall move the adoption of the following resolution:

Whereas over 5,000 babies are born each year at Nova Scotia's esteemed IWK Children's Hospital in Halifax; and

Whereas key members of the care team for mothers and infants are qualified and compassionate nurses; and

Whereas these nurses help support new mothers with post-delivery medical care, breastfeeding instructions, and care for infants with special needs;

Therefore be it resolved that all members of this House of Assembly acknowledge the valuable services that nurses provide, including the nurses who take care of our youngest and most vulnerable Nova Scotians.

Mr. Speaker, I request waiver of notice and passage without debate.

MR. SPEAKER: There has been a request for waiver.

Is it agreed?

I hear several Noes.

The notice is tabled.

### **ORDERS OF THE DAY**

#### **ORAL QUESTIONS PUT BY MEMBERS**

MR. SPEAKER: The time is now 12:21 a.m. and we'll conclude at 1:21 a.m.

The honourable Leader of the Official Opposition.

**PREM.: HOSPITALS - ADEQUATE STAFFING**

HON. JAMIE BAILLIE: Mr. Speaker, my question is for the Premier. I'm sure most, if not all, members of this House know that the importance of our nurses can't be overstated. Neither can their front-line knowledge of our health care system be overstated. Nurses in Capital Health are insisting that staffing levels in our hospitals are inadequate. We're here tonight because they feel that no one has listened to their concerns, whether it be the management of our hospitals, the health authorities themselves, or even their own government.

I would like to ask the Premier if he can inform the House what steps he himself has taken to ensure that our hospitals are, in fact, adequately staffed.

HON. STEPHEN MCNEIL (The Premier): I want to thank the honourable member for the question. Mr. Speaker, as you would know, since taking power on October 22<sup>nd</sup>, the Health and Wellness Minister has been travelling this province, as we made a commitment that we would be reducing the health authorities from nine to one, and as part of that consultation is also looking at staffing levels in every hospital in this province.

MR. BAILLIE: Mr. Speaker, it is, of course, the government's duty to ensure that our hospitals are adequately staffed. Listening to nurses, those who work on the front lines, is one way to assure themselves as a government that that is or is not the case. Sadly, it is something we have not seen addressed up to this point, and it is not being addressed in the proceedings here at the House today or in the next few days. There appears to be no plan to actually examine whether nurses may well have a point about the staffing in our hospitals.

I will ask the Premier, without taking these steps now to assure the government that our hospitals are either adequately staffed or not, how can the Premier say that public health care is protected?

THE PREMIER: Mr. Speaker, I want to remind the honourable member of my answer to the first question. The Minister of Health and Wellness is doing exactly that. He is travelling the province and talking to district health authorities about the fact that we will be merging them into one district health authority with regional zones. Part of that conversation is looking at staffing levels in all of our hospitals.

MR. BAILLIE: Mr. Speaker, I'd just like to say that clearly the government has decided that it's efficient to consult with the very health authority executives that have so frustrated nurses that they have resorted to the bargaining table and ultimately to appealing to the public for help in having their voices heard that there is a problem with staffing in our hospital wards. It's a flawed process, and that is partly why we are here once again as a province - at the brink of a crisis in our health care system.

I would like to ask the Premier, in light of all that has gone on - the fact that important procedures are already being cancelled, and the fact that we're on the verge of a strike, possibly as early as tomorrow morning - can he tell the House and all Nova Scotians that they can be assured that they will have the health care services that they need starting tomorrow morning?

THE PREMIER: Mr. Speaker, as the honourable member would know, the employer in this case is Capital Health. They are doing what they have been asked to do, which is provide services to the people of the province. They have taken into account that potentially there is a labour disruption coming. I want to remind this House that it is the Leader of the Progressive Conservative Party who wants to take away the right to strike from health care workers. We've struck a balance, we believe, in ensuring that they have the right to strike once we put together a level of essential service.

MR. SPEAKER: The honourable Leader of the New Democratic Party.

#### **PREM. - LBR. RELATIONS: LEGISLATION - EFFECTS**

HON. MAUREEN MACDONALD: Mr. Speaker, my question through you is to the Premier. In the last 30 days we've watched the premier go from one bargaining table to another with threats against health care workers instead of respecting the collective bargaining process that has served our province well. The Premier has brought chaos to labour relations in the province. First the Premier botched the negotiations with home care workers and now he is determined to pick a fight not only with the 2,300 nurses in Capital District Health Authority, but with more than 30,000 health care and community service workers from Yarmouth to Sydney.

My question for the Premier is, what does he stand to gain from turning labour relations in our province into such a tailspin?

THE PREMIER: I want to thank the honourable member for the question. Mr. Speaker, what has happened today is over the last seven months we've had three potential labour disruptions in the health care system. What this bill puts in place is a mechanism to ensure that there is essential services provided to people in this province and then a strike can take place, unlike what happened here seven months ago when the then-NDP Government unilaterally took away their right to strike from paramedics. We have said, let's level in a level of essential service and then allow workers to have the right to strike.

MS. MACDONALD: Well Mr. Speaker, it's been less than six months in this Premier's mandate and he's changing the face of labour relations in this province forever. He has done this on his own accord with virtually no consultation with the groups his changes are going to impact. So my question to the Premier is, why does the Premier feel entitled to take such drastic measures with so little disregard for the views of Nova



Scotians, especially those Nova Scotians that will be impacted by the loss of their rights forever?

THE PREMIER: Mr. Speaker, the legislation that was introduced today is striking a balance between ensuring that those Nova Scotians that needs health care services can rest assured that there is a level of essential service, as well as ensuring that workers across this province who feel the need to strike have that right. This bill is a balance between making sure that patients have the services they want and workers have the right to act on a strike.

MS. MACDONALD: Mr. Speaker, over 30,000 health care workers, nurses, paramedics, social workers, physiotherapists, technicians, pharmacists, orderlies - these are the health care workers in our province that are now the target of this Premier with this legislation. My question to the Premier is, who should be afraid that you're coming for them next?

THE PREMIER: It was quite frankly, Mr. Speaker, that member and that party that took away the right to strike from paramedics across this province. (Applause)

Mr. Speaker, under our legislation, they will negotiate a level of essential service with their employer and then they could strike.

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

#### **PREM.: HEALTH CARE AVAILABILITY - MED. TESTS**

HON JAMIE BAILLIE: Mr. Speaker, the most important thing we can all accomplish here in the next little while is to ensure that patient care is there for those Nova Scotians that need it. Already many surgeries and other important medical procedures are in the process of being cancelled. Every day that goes by, not only do Nova Scotians go without the health care that they deserve but the new backlog will just add to the already too long wait times. How can the Premier tell Nova Scotians that their health care will be there for them when they need it, when so many important medical tests are already being canceled?

THE PREMIER: Mr. Speaker, it is exactly why the Minister of Health and Wellness has been travelling this province - to ensure that we move from an administrative model to one that's focused on patients. I hope that as we continue this debate that we can get the support of the members opposite so that this bill can move forward. We can put into place essential service legislation and then workers can have the right to strike.

MR. BAILLIE: I wish I could say that Nova Scotian patients are comforted by the tour of the Minister of Health and Wellness, but the reality is that it's six months in and nothing has changed in our health care system. What is happening tonight is that real

services are being cut. It is the government that is ultimately responsible for ensuring that our health care is there for all Nova Scotians when they need it.

I will ask the Premier, in light of where we are at this point in time, what is the government doing to ensure that health care is available to Nova Scotians, including tomorrow morning?

THE PREMIER: As he would know, Capital Health and the union have been negotiating. They got to the point where today there was a 48-hour strike notice served to the people of the Province of Nova Scotia and as the employer, Capital Health would put in place a contingency plan that would ensure providing services.

It's the very reason we're here debating this bill - to ensure that we can put in place the level of essential services that Nova Scotians would know what services would be there in case of a labour disruption. This bill will allow that happen, as well as allow health care workers across this province to exercise their right to strike.

MR. BAILLIE: I know we'll hear from nurses and other Nova Scotians themselves as part of the bill to be processed about whether they feel that they still have the right to strike or not. The issue I'm pursuing tonight is the patients who need medical attention in our hospitals - attention that requires the services of our hardworking nurses.

It is important that our hospitals be adequately staffed. Here at Capital Health, in light of what's going on, plans are being made to bring in nurses from other health authorities as necessary in light of the strike that we see before us. I'd like to ask the Premier if he can tell the House, what is the plan to ensure adequate health care is provided across Nova Scotia, not just at Capital Health?

THE PREMIER: As the member opposite would know, it is Capital Health's responsibility to deliver health care to the citizens of the capital region. They are now in labour negotiations and they have put in place a contingency plan, as have other health authorities across the province if it's required they need to make changes in terms of staff.

MR. SPEAKER: The honourable member for Hants West.

#### **HEALTH & WELLNESS - HANTS COMMUN. HOSPITALS: STRIKE - IMPACT**

MR. CHUCK PORTER: Mr. Speaker, my question will be for the Minister of Health and Wellness. Having a plan to move nurses from other hospitals due to under-staffed conditions in the Capital Health District; patient safety should be the primary concern at this point. I'm going to ask the minister through you, Mr. Speaker, what assurances can the minister give to the patients and staff at other hospitals working, like the Hants community hospitals, that may be affected?

HON. LEO GLAVINE: Mr. Speaker, I thank the member opposite for the question. At this stage, a phase three contingency plan is now at work and I think the member opposite will find that, in fact, his hospital will have the nurse complement and the teams in place to deliver services to the people of the Hants West area.

MR. PORTER: I thank the minister for that answer. The minister is quoted as saying, "I know that we may have to call on other (health) districts now to try and backfill those services." This means that staff will be transferred to the capital region from other outlying areas.

At the Hants Community Hospital, the following services are provided: acute medical care, general surgical care, physio, lab services, diagnostic imaging, social work, respiratory care, Home Care Nova Scotia, VON home support central, Nova Scotia Hearing and Speech Clinic to name a few. What services at the Hants Community Hospital will suffer the most due to these staff transfers?

MR. GLAVINE: To answer the member opposite, I don't have a list of the detailed services that may have some postponement elements in place in the coming days. I believe that's why before there is a strike in the health care sector, that we know the level of services that will be offered to Nova Scotians. I think if we're looking at the patient first and the safety of Nova Scotians, that should be top of mind and that's why our government is moving in the direction that it is.

MR. PORTER: The patients and staff across the province are feeling the effects of the staff shortages in the Capital Region. The seriousness of the staffing levels will be felt for months to come by all those who are affected. How will this understaffing affect wait times for procedures planned at Hants Community and other hospitals?

MR. GLAVINE: We know that sometimes when there is a labour disruption, as we currently have, there is some backlog that impacts the system; it obviously has a cascading effect and there are procedures that will be delayed. But one of the great insights - and in many ways a great inspiration - that I saw as I've toured this province is the commitment of our health care workers through the entire spectrum of health care providers and all will become a part of solving the problems and dealing with the challenges that we will have in the coming weeks.

MR. SPEAKER: The honourable Leader of the New Democratic Party.

### **PREM.: HEALTH CARE WORKERS - ATTACKS**

HON. MAUREEN MACDONALD: Mr. Speaker, my question through you is to the Premier. On December 6, 2007, when the Premier sat on this side of the House, he said, "Health care workers, like so many other sectors of this province, and across the country, have fought long and hard for their rights and benefits that they now have, thanks to

unionization. Unionized health care workers are the backbone of our health care system,” Now the Premier is effectively stripping those very workers of those very rights. My question to the Premier is this, why are the health care workers today less important than the ones you spoke of in 2007?

THE PREMIER: Mr. Speaker, it’s the very reason why we brought in this bill. We respect health care workers across this province. We could have adopted the bill put forward by the Progressive Conservative Party in this House which actually would have stripped them of the right to strike or we could have followed the lead of the previous government which stripped the right to strike away from paramedics in this province.

Mr. Speaker, we struck a balance. We are making sure that essential services are in place for Nova Scotians and they will know what those services are as we get into any future labour disruptions and we are also protecting the right to strike for health care workers.

MS. MACDONALD: Mr. Speaker, on December 6, 2007 the Premier, on this side of the House, also said the following:

“The issue around labour issues in the Province of Nova Scotia in health care is not the cause of the problems that Nova Scotians are telling all of us. They are talking about the shortage of doctors, talking about the shortage of nurses, they are talking about wait times. Picking a fight with our health care workers is not ensuring that Nova Scotians have access to the quality health care that they expect each and every one of us here to protect and deliver for them.”

So my question is this, will the Premier explain how his campaign against unionized health care workers will result in improvements in our health care system?

THE PREMIER: Mr. Speaker, it was that Party and that government that took an attack on unionized health care workers across this province when they stripped paramedics of the right to strike.

Mr. Speaker, what this bill before us today is about is ensuring that there are essential services in place for Nova Scotians when they need health care in case of a labour disruption as well as protecting the right for health care workers to strike.

MS. MACDONALD: Mr. Speaker, somebody needs to teach the Premier the difference between “essential services” and “emergency services” in the health care system. When the paramedics in this province went on strike, they did not leave one paramedic to do any emergency care, unlike the nurses at Capital Health who have offered to cover ER, to cover veterans’ care, to cover cancer care, to cover hemodialysis, to cover transplants. There is a great difference between the essential services and the emergency

services that nurses are prepared to provide, and what was provided by the paramedics in the dispute that happened seven months ago.

The Premier stood on this side of the House and said the following: “Making a good-faith collective bargaining process even more difficult by taking away health care workers' right to strike is not going to make Nova Scotia a more attractive option when trying to recruit health care workers to this province.”

My final question to the Premier is, when will he give up his attack on health care workers and concentrate on recruiting efforts for all health care professionals in our health care system?

**THE PREMIER:** Mr. Speaker, the only Party in this House in the last seven months that has attacked health care workers' rights to strike has been the New Democratic Party, with the support of the Progressive Conservative Party. This piece of legislation is striking balance and ensuring we have essential services in place so that Nova Scotians will know what services are in place in case of a labour disruption, as well as protecting the right of health care workers to strike.

**MR. SPEAKER:** The honourable member for Pictou East.

#### **NAT. RES.: GROUP SAVOIE - WOOD SUPPLY ALLOCATION**

**MR. TIM HOUSTON:** Mr. Speaker, my question today is for the Minister of Natural Resources. The issue of accessing affordable hardwood for the Group Savoie mill in Westville has been frustrating. The forestry industry is one of Nova Scotia's oldest industries, and it is in need of bold change in order to secure the long-term sustainability of companies like the Group Savoie.

My question today for the minister is, since meeting with Group Savoie representatives in December, has the minister been able to work with the company to find a way to allocate Crown lands to guarantee wood supply for their operation?

**HON. ZACH CHURCHILL:** Mr. Speaker, I thank the honourable member for the question. As I've stated in this House before, there is currently a shortage of fibre in the Province of Nova Scotia. Nova Scotia has the second-lowest amount of Crown land in the country, after Prince Edward Island, and we have the second-highest percentage of land that is currently protected. Also, because of the current moment in the cycle of the growth of our forests, we are faced with a fibre challenge right now.

Group Savoie is being impacted just like every other sawmill across the province when it comes to trying to access that fibre. We have been in constant conversations with Group Savoie. We met with one of their representatives on the weekend, actually, and we

will continue to work with them on this particular issue and hopefully find a resolution for the company.

MR. HOUSTON: Mr. Speaker, given the challenges of the fibre that's available, I would suggest that the government needs to look very carefully how it allows companies access to Crown land. The forestry industry is struggling and looking to the government for solutions. On December 4<sup>th</sup> the minister told the House of Assembly the following, "One of the first orders of business for me, when I came in as minister, was to encourage the management development process to be expedited within the department."

I'm glad to hear that the minister is looking at the processes, and I'm hopeful that he is specifically looking at the processes around access to Crown land. I have been asking people what the process is, and I can't find anyone who can tell me the actual process for applying for access to Crown land, and that's a big concern of mine.

My question today for the minister is, after a number of months working with the department on processes, can the minister tell me what the actual process is today to apply for access to Crown land?

MR. CHURCHILL: Mr. Speaker, all the sawmillers across this province have direct access to the foresters in our department, have direct access to our staff in the various regions of this province, and it is through those staff people that an application happens. To date, we've been able - on the western Crown land - to ensure that everyone who has sent an application in did receive an allotment, and we're still working with other sawmillers in the Province of Nova Scotia to work with private woodlot owners because of the constraints we have with our public source to find solutions to this fibre challenge that we have.

MR. HOUSTON: The problem is that when I hear the minister saying that everyone who has applied for access was granted access, and then nobody knows what the application process is - that's a bit of a concern for me. I do believe that there are companies that would be desirous of access to Crown land that don't know how to turn, don't know what the process is and maybe aren't getting a fair shake. I'm pretty worried about that because we can't expect our pulp industry, our lumber industry, our sawmills to operate effectively and to be competitive in an environment where the processes are unclear and possibly unfair.

The Ivany report points to a 14 per cent decline in exports from pulp mills over the last 10 years, and this is not acceptable. We have to do better; we have to establish processes that are fair, open and transparent to everyone.

My question today for the minister is, when are we going to have a proper process in place for applications to obtain access to Crown land?

MR. CHURCHILL: I have met directly, personally, with almost the majority of the sawmillers across this province and not one of those people has ever indicated to me that there is a problem when it comes to the application process to access Crown fibre. What they have indicated is that there is a fibre shortage, which is why our government is taking steps to work with the private woodlot owners of this province, who own over 75 per cent of the woodland in this province, to ensure that they have - that our companies who need wood have greater access to those lands so we can support that industry and move it forward in a way that is sustainable for this province and for future generations.

MR. SPEAKER: The honourable Leader of the New Democratic Party.

**PREM.: JOAN BOURQUE - DISCUSSION REQUEST**

HON. MAUREEN MACDONALD: Mr. Speaker, my question again through you, is to the Premier. We know the Premier spent his weekend hobnobbing with Liberal senators and Liberal trust fund bagmen and women, but he didn't have the time to meet with Joan Bourque who joined him at their convention. She is a registered nurse. Ms. Bourque has said in the media, "There's [sic] days when we don't even get breaks. There's [sic] days when we can't even go to the bathroom, and when we do get a break, you worry about your fellow RN left in there with six sick patients."

Health care workers work hard in their jobs and they deserve respect. My question through you to the Premier is, why does the Premier not believe that Ms. Bourque deserves the respect to at least have had a conversation?

THE PREMIER: Mr. Speaker, not only Ms. Bourque, all health care providers in this province deserve our respect. They do a tremendous job from one end of this province to the other; they come to our rescue in our most vulnerable times as human beings.

We as a government - I know the Minister of Health and Wellness has spent his time travelling and meeting with people. I have people who call my office looking for meetings. I've been more than prepared to arrange and make those meetings with any Nova Scotian. I'm not sure which meeting the Leader is referring to that didn't happen, but I would encourage her to contact my office and we'll try to arrange a meeting.

MS. MACDONALD: Mr. Speaker, I'll table these news articles from the Liberal Party Convention. Perhaps that will refresh the Premier's memory of that incident.

From media reports, Ms. Bourque recalled the situation, and we understand she tried to have a conversation with the Premier at the convention to discuss her concerns, but the Premier wouldn't listen to her, nor would he even stop to talk to her. Another example that the Premier is putting Liberals first and not Nova Scotians.

It's clear now the Liberal Government never intended to negotiate fairly with nurses at the table. Since the Premier wouldn't even talk to Ms. Bourque over the weekend, I will ask the question she was trying to ask. That is, why won't the Premier respect the health care workers and their right to negotiate?

THE PREMIER: Mr. Speaker, we do respect the right of health care workers to negotiate. What we've put in place is a piece of legislation - essential services - that would ensure that Nova Scotian patients know what services are available to them. And then health care workers could go on strike - unlike the New Democratic Party, when they were in power, who stripped the right to strike from paramedics, who are health care workers.

MS. MACDONALD: Well, Mr. Speaker, we know full well that when the Premier was on this side of the House he was all for unionized health care workers, and he was all for their collective bargaining rights. He said this over and over again. He said it when the government of the day introduced legislation to take away the right to strike, and he said a lot of things about the support that he felt for workers and what he would do if he had an opportunity. Yet we see something quite different now.

My final question to the Premier is, could he please tell me where in the Liberal Party's platform from the last election I would find the commitment to bring in this particular piece of legislation?

THE PREMIER: Mr. Speaker, what this piece of legislation is, is a balance in ensuring that Nova Scotians have the essential service in the health care system when they need it, if a labour disruption is happening, and it also protects the right of health care workers to exercise the right to strike - unlike the former government which stripped paramedics of that right.

MR. SPEAKER: The honourable member for Pictou Centre.

### **HEALTH & WELLNESS: ABERDEEN HOSP. - STRIKE IMPACT**

HON. PAT DUNN: Mr. Speaker, my question through you is to the Minister of Health and Wellness. There appears to be a plan to move nurses from other hospitals due to the potential of understaffed conditions in the Capital Health District. Patient safety should be the primary concern of government at this point. My question to the minister is, what assurances can the minister give to the patients and staff working at the Aberdeen Hospital?

HON. LEO GLAVINE: I do want to assure the member representing Pictou Centre that patient safety and making sure that as many services that take place in that hospital from day to day and week to week remain in place. We already have a system that is very integrated, and this is one of those test periods when we'll see that it will work well and that Nova Scotians will get the emergency care, the acute care, that they need tomorrow.



MR. DUNN: Mr. Speaker, the minister is quoted as saying, “I know that we may have to call on other (health) districts now to try and backfill those services,” and I’ll table that. This means that staff will be transferred to the Capital region. The Pictou County Health Authority is responsible for delivering health care services to the 46,000 residents of Pictou County. My question to the minister is, which of those 46,000 residents will suffer most due to the staffing issues in the Capital region?

MR. GLAVINE: To the member opposite, one of my discoveries on the provincial tour that I did was discovering at the Aberdeen and in the Pictou District Health Authority, a considerable number of very strong professionals that do extraordinary work every day. They have a Collaborative Emergency Centre that is a model for the province, and with that level of primary care and some specialty services, with the number of clinicians they have, I am sure the good residents of Pictou County will be well looked after in the coming days.

MR. DUNN: Mr. Speaker, the patients and staff across the province will feel the effects of the staff shortages in the Capital region; the seriousness of these staffing levels will be felt for months due to the mismanagement of this government. My question to the minister is, how will this understaffing affect wait time for the surgeries planned at the Aberdeen Hospital?

MR. GLAVINE: Mr. Speaker, to the member opposite, we know that we do have some current challenges for the next few days but, again, I have great faith in all who provide health care delivery in our province that once this legislation is passed, we will move forward to look after those who are in the queue, especially for elective surgery, and get things back on track very quickly.

MR. SPEAKER: The honourable member for Sackville-Cobequid.

**PREM. - COLLECTIVE BARGAINING: RESPONSE - EXPLAIN**

HON. DAVID WILSON: Mr. Speaker, my question through you is to the Premier. In 2001, while debating the infamous Bill No. 68, the Liberal member for Richmond called back to work legislation “draconian and just downright scary.” The Liberal Health Critic at the time told reporters that there’s a much bigger issue than just legislating the nurses back and that is the fact that the government is coming down with such a heavy-handed, unilateral hammer against labour in the province.

My question for the Premier is, why is he ignoring the collective bargaining process and to quote his colleagues, “acting in such a draconian and heavy-handed way toward labour in the province?”

THE PREMIER: Mr. Speaker, I want to thank the member opposite for the question. This piece of legislation that is before us is striking a balance, ensuring that the

essential services that Nova Scotians require in the health care system are there in case of a labour disruption, as well as protecting the right to strike for health care workers as they negotiate a collective agreement. If he'd go back to 2001, he would know that that bill that was brought in actually took away the right to negotiate collective bargaining - it was going to be settled by the Cabinet of that day. This is a very different bill, it's also very different than the one that government brought in in the way they treated paramedics.

MR. WILSON: In 2007, the MLA for Annapolis, now the Premier, proudly said, "Our system has not been plagued by strikes or work stoppages. In the last 25 years there have been three hospital strikes in Nova Scotia." We all know that as a province we have worked hard and worked together for decades to keep workers' rights intact and therefore labour unrest at a minimum. Could the Premier explain why after less than six months in office he has now created chaos and unrest in the entire health care sector?

THE PREMIER: Mr. Speaker, in the last seven months there have been three potential labour disruptions in the health care system in the Province of Nova Scotia. Unlike the previous government that took away the right to strike and forced paramedics back to work, this piece of legislation is a balance between ensuring that the essential services pieces are in place and then health care workers can have the right to strike.

MR. WILSON: Mr. Speaker, also in 2007, the member for Annapolis, the Premier, said that the collective bargaining process is working in Nova Scotia. My question is very simple to the Premier, why does he no longer believe in the collective bargaining process?

THE PREMIER: Mr. Speaker, I very much believe in the collective bargaining process, but what we have in place here is putting in place essential services so that Nova Scotians will know what services will be there in case of a labour disruption, and then if the workers feel that they need to take job action they can do so. This piece of legislation is striking a balance, unlike the piece of legislation that was brought in by the previous government to deal with paramedics.

MR. SPEAKER: The honourable member for Inverness.

#### **JUSTICE: EAST COAST FORENSIC HOSP. - PATIENT SAFETY**

MR. ALLAN MACMASTER: Mr. Speaker, my question is for the Minister of Justice. Capital Health has said that staffing levels for the East Coast Forensic Hospital will be unsafe in the event of a labour disruption. This is a hospital that serves people directed there by the judicial system. My question for the minister, how is the minister ensuring the safety of patients and staff at the East Coast Forensic Hospital tonight?

HON. LENA DIAB: Mr. Speaker, a very important question. As we know, patients at the East Coast Forensic Hospital are patients and we very much care about the safety of

all Nova Scotians. It is indeed an important question and my colleague the Minister of Health and Wellness is very much looking into that situation.

MR. MACMASTER: Mr. Speaker, the safety of hospital staff and patients should be paramount. The ramping down of services at Capital Health should not impact people's health care let alone their safety. My question then for the Minister of Health and Wellness is, has the minister taken any steps to have heightened security at the East Coast Forensic Hospital?

HON. LEO GLAVINE: To the member for Inverness, I recently spent some time at the East Coast Forensic Hospital and I know the daily challenges they have in the institution there. I know that at the present time they are dealing with a phase three level of urgency to make sure they have coverage in the institution that will be adequate in the short term to make sure that the patients are indeed looked after properly.

MR. MACMASTER: Mr. Speaker, I do know that Capital Health has said that proposed constituency staffing levels at the East Coast Forensic Hospital in Dartmouth are unsafe, and admissions cannot be declined; I will table that document.

Mr. Speaker, unlike other facilities in the Capital Health District, the East Coast Forensic Hospital is unable to turn away patients when they are admitted. This leaves staff even more vulnerable than if they were dealing with a controlled number of patients. My question is, what does the minister plan to do if staffing levels are not appropriate for the number of patients, and how will the minister ensure that the proper care is delivered and that people remain safe?

MR. GLAVINE: I can say at the present time - it is well past my normal bedtime - I feel that essential service legislation is in fact of the greatest value to Nova Scotians, to those who need to enter the health care system, and to those who are at places like the East Coast Forensic Hospital. They would maintain the level of required staff for any type of disruption like a strike - which by the way can still go on in future days - to support health care workers across the province.

MR. SPEAKER: The honourable member for Northside-Westmount.

**HEALTH & WELLNESS - SURGERY CANCELLATIONS:  
PATIENTS - COMMUNICATION**

MR. EDDIE ORRELL: Mr. Speaker, my question is to the Minister of Health and Wellness. Surgical wait-lists are growing in our province. Right now the average wait time for knee replacement is 293 days. There are surgeries being canceled as we speak due to the staffing shortages in the Capital region. From October to December 2013, there was a 45 per cent completion within a benchmark time frame. My question to the minister is, what is

the minister going to say to the patients who have waited nearly a year for a new knee, whose surgery is cancelled due to staff shortages?

HON. LEO GLAVINE: To the member opposite, yes if a surgery is cancelled, such as some were today and some probably tomorrow, that is indeed unfortunate. I know that when they've gone through a long wait time, to hear that it's cancelled at the last day or moment is pretty disturbing. But I would ask the member to stay tuned to a budget this week that in fact will support a greater number of surgeries in the coming weeks, with what will be delivered on Thursday.

MR. ORRELL: Thank you for that answer. As we know, we're looking at a labour disruption now that's going to cause a little bit more than just a delay, and hopefully that budget will make up the difference in this new - with the people who are going to be late, but right now, the average wait time for a hip replacement is 206 days. There are surgeries being cancelled as we speak due to those staffing shortages as well in the Capital Health region. From October to December 2013, less than 60 per cent were completed within the benchmark time frame.

My question again is, what is the minister going to say to patients who have waited over 200 days for a new hip, whose surgery is being cancelled due to staffing delays and may be prolonged even further because of a labour disruption?

MR. GLAVINE: To the member opposite, I know that at the present moment those whose surgeries were cancelled today and probably tomorrow, they are in a delay pattern. But I know that with the commitment in particular of the orthopaedic surgeons in the province to a plan that we will unfold in the coming days, we will more than catch up and start to move to address a wait-list that is one of the worst in the country.

MR. ORRELL: I'm going down the list. Mr. Speaker - right now the average wait time for shoulder surgery is 172 days and growing. Their surgeries are being cancelled due to shortages and due to an impending labour disruption. This kind of surgery is essential for the patient to return to work, play with their children, or live an average quality of life.

My question is, what is the minister going to say to these patients who have waited nearly 200 days for shoulder surgery and who may be cancelled due to staffing shortages and/or labour disruptions?

MR. GLAVINE: The member opposite did use the right word - he said "essential." When the essential service legislation is brought in, I think we can move through even a strike in a much more orderly way, and in a way that will make sure that Nova Scotians' health care is delivered on time, and as full a complement of services as can be managed.

MR. SPEAKER: The honourable member for Cape Breton Centre.

**LAE: ESSENTIAL SERVICES LEGISLATION - PREPARATION DETAILS**

HON. FRANK CORBETT: Mr. Speaker, my question through you is to the Minister of Labour and Advanced Education. Health care workers want to be treated with respect and not have collective bargaining rights stripped from them. They were surprised to know that while nurses were at the bargaining table making progress toward a deal, legislation affecting their rights would be introduced with little or no warning.

This past weekend at their AGM, Liberals, including the Premier, seemed unaware that essential service legislation was on its way. My question to the Minister of Labour and Advanced Education is, was this legislation prepared prior to their AGM this weekend, and when did you advise your Premier that this legislation was ready to go?

HON. KELLY REGAN: I thank the honourable member for the question. Our first priority is to protect the health and safety of Nova Scotians and to ensure our most vulnerable citizens are taken care of. We have introduced legislation that ensures patients and their families can continue to count on essential services during a strike. Government supports the principles of collective bargaining, but we also have a responsibility to look after our most vulnerable citizens and to ensure essential services are available during a strike.

MR. CORBETT: Today at 5:00 p.m., while Capital Health and its workers were at the bargaining table, someone leaked to the media that if an agreement was not reached by 7:00 p.m. Monday evening, the Liberals would introduce the essential service legislation. My question to the Minister of Labour and Advanced Education is, who leaked this information, and if you know, do you think it helps the collective bargaining process?

MS. REGAN: Government supports the principles of collective bargaining, but we also have a responsibility to look after our most vulnerable citizens. We all value the important work that nurses do, and I would point out, Mr. Speaker, that Nova Scotia is the only province in the country that does not have essential services legislation.

MR. CORBETT: Mr. Speaker, health care workers would rather be concentrating on helping their patients than planning a trip to Law Amendments Committee in the next few hours or so to speak out against this draconian bill.

So I guess I want to ask the Minister of Labour and Advanced Education, how much time does she plan on attending - how many hours she wants to put in over at Law Amendments Committee to find out really what the problem is with health care workers in this province?

MS. REGAN: I thank the honourable member for the question. The legislation in question gives Nova Scotians peace of mind, so that if a union does choose to go out on a strike Nova Scotians will have a level of health care in the event of a strike.

Mr. Speaker, I would point out that Nova Scotia is the only province left in Canada that does not in fact have this kind of legislation. So to a previous member's question - I doubt that health care workers coming from another province would be concerned about the fact that we have this legislation when every other province in the country does as well.

MR. SPEAKER: The honourable member for Sydney River-Mira-Louisbourg.

**HEALTH & WELLNESS: IWK HEALTH CENTRE  
- INTERRUPTION PREVENT**

MR. ALFIE MACLEOD: Mr. Speaker, my question through you is to the Minister of Health and Wellness. The IWK Health Centre is not only an important part of the health system in Halifax but acts as a service hub for all of Nova Scotia and the Atlantic Region. This is an institution that provides essential health care for young patients from across our province and our region.

Mr. Speaker, my question through you to the minister is, what action has his government taken in order to ensure that the services provided by the IWK Health Centre, an important and unique component of our health care system, are not interrupted?

HON. LEO GLAVINE: To the member opposite, the work of the IWK will go on as normal, as usual, tomorrow. The nurses at the IWK are part of the Nova Scotia Nurses' Union and they will be on the job 100 per cent tomorrow. Our children from across Nova Scotia and from across Atlantic Canada will have their procedures and health requirements in full place tomorrow.

MR. MACLEOD: I want to thank the minister for that answer. Mr. Speaker, the Minister of Health and Wellness was quoted in The Chronicle Herald on March 28<sup>th</sup> saying that the government may have to call on other health districts to try and backfill those services - and I'll table that piece of information. Procedures have already been cancelled and families are left in a state of uncertainty across the province.

Patients throughout the province are worried about their children's care, so I ask the minister, the essential services offered by the IWK are allowed to be put in jeopardy, what is this government going to do about this?

MR. GLAVINE: To the member opposite, tomorrow at the IWK the work of the clinicians there will be going forward and there will be no interruption of service for our children from the province and, indeed, from across Atlantic Canada.

MR. MACLEOD: The nurses who work at the IWK Centre and many of whom are deeply concerned about the care that they provide to their patients and the children who go there on a regular and continuing basis are concerned about where this whole business is going. So, Mr. Speaker, will the minister answer why his government has let down the

young patients of the IWK Health Centre, and its nurses, by failing to show real leadership during this time of importance and crisis?

MR. GLAVINE: Mr. Speaker, again, to the member opposite, the one reality that we do know about the IWK - if there is a high acuity in patient load on the floor tomorrow, members of the Nova Scotia Nurses' Union have that flexibility in their latest contract to be able to call in a nurse, an LPN, or any other staff that, in fact, would deal with an extraordinary situation. I think that is a great step forward, the first nurses' union in Atlantic Canada to get that kind of language in their contract which in fact reflects and responds to the dynamic nature of health care.

MR. SPEAKER: The honourable member for Sackville-Cobequid.

**PREM. - NURSES: STAFFING COMPLEMENT - ADEQUACY**

HON. DAVID WILSON: Mr. Speaker, my question is for the Premier. Last week the Minister of Health and Wellness suggested that there were more than enough nurses in our province. Our nurse numbers are, he said, "well above the national average." However, we are hearing from nurses that nursing positions are being left unfilled and nurses who phone in sick are not being replaced, and this causes a great deal of stress for those nurses who are left to pick up the slack. So my question to the Premier, is it his view that we have enough nurses in Nova Scotia to ensure an adequate and safe health care system?

THE PREMIER: Mr. Speaker, I want to assure the member, and all Nova Scotians, that the Minister of Health and Wellness is working with all health care providers, ensuring that we have the appropriate number of staff looking after Nova Scotia patients.

MR. WILSON: Mr. Speaker, we all know, and Nova Scotians know, that the last time the Liberals were in government they actually paid nurses to leave. Now the Premier is warning that nurses who take job action would be disciplined by their professional body, the College of Registered Nurses of Nova Scotia. So I would like to ask the Premier, why would the Premier take such a hard line with the nurses of this province?

THE PREMIER: Mr. Speaker, this piece of legislation that we have before the House is striking a balance. It ensures that we have the essential service piece in place so that Nova Scotians receive their health care when and where they need it; it also respects the nurses' right to take job action when they feel it necessary.

MR. WILSON: Mr. Speaker, with all due respect to the Premier, I wasn't asking about legislation, I was asking about comments that he made - really threatening comments - toward the nurses if they take job action. We all know and Nova Scotians know that in the 1990s, after the cuts from the Liberal Government, that we had a nurse shortage for many, many years.

My question is simple, to the Premier, what is his plan to ensure that after this legislation is passed we don't see more shortages of nurses here in the Province of Nova Scotia?

THE PREMIER: Mr. Speaker, our plan is to continue to respect the health care providers in this province. We've struck a balance, we believe, with this piece of legislation, that will allow for the essential service component to be in place, as well as making sure that nurses across this province who feel that they need to take job action still have the right to do so - unlike the former government that took that right away from paramedics.

MR. SPEAKER: The honourable member for Pictou West.

### **TIR: VOLVO AIR SUSPENSION TRUCKS - WEIGH STATIONS**

MS. KARLA MACFARLANE: Mr. Speaker, my question is to the Minister of Transportation and Infrastructure Renewal. Regulation for weighing the new Volvo Air Suspension 49" Spacing trucks has become an issue in Pictou County, Nova Scotia, and across Canada. These new trucks allow for a significantly lower impact on fuel consumption and the savings are approximately \$16,000 a year per truck. The problem is that these trucks, when going across weigh stations, are not weighed properly because of the distribution of weight.

My question is, I'm wondering, has the minister brought this regulation up at Cabinet and, if so, when?

HON. GEOFF MACLELLAN: Mr. Speaker, I truly thank the member for the question. There are a number of regulations with respect to vehicle compliance that we're looking at, in terms of how we move forward with some of the transportation issues. Obviously, there is an impact on the economy and there is an impact on our roadways, so any time there are new measures and opportunities for us to use new technologies and new equipment that make the vehicles more fuel efficient and able to do their job better, we look into that. So there is a process in place where we're using our vehicle compliance professionals to look at all options. We're open to anything.

The other member from Pictou brought a similar question to me about tires and the size of tires - we're going to look at all those options, and certainly would welcome any suggestions and any ideas coming from the Official Opposition.

MS. MACFARLANE: It definitely has had quite a huge impact on the economy, especially for Rollie MacDonald, who is the owner of King Freight Lines here in Pictou West. His situation is most difficult . . .



MR. SPEAKER: Order, please. The time allotted for the Oral Question Period has expired.

### **GOVERNMENT BUSINESS**

MR. SPEAKER: The honourable Government House Leader.

HON. MICHEL SAMSON: Mr. Speaker, would you please call the order of business, Public Bills for Second Reading.

### **PUBLIC BILLS FOR SECOND READING**

MR. SPEAKER: The honourable Government House Leader.

HON. MICHEL SAMSON: Mr. Speaker, would you please call Bill No. 37.

#### **Bill No. 37 - Essential Health and Community Services Act.**

MR. SPEAKER: The honourable Minister of Labour and Advanced Education.

HON. KELLY REGAN: Mr. Speaker, I move that Bill No. 37, an Act to Ensure the Provision of Essential Health and Community Services, be now read a second time.

Government values the critical work of those who care for people who are sick, older, or have special needs. Thousands of Nova Scotians and their families depend on these important workers every day: people who work in hospitals; people who work in homes for seniors, the disabled, and youth; paramedics; nurses; 911 operators; and others. These workers provide thousands of Nova Scotians with crucial health and community services.

While we value their critical work, we must also ensure that Nova Scotians receive the care they need. This is the third health care labour disruption in less than a year. Like all Canadians, Nova Scotians deserve to know their health and safety won't be in jeopardy during a labour disruption. Nova Scotians shouldn't have to worry about their care every time two parties can't reach an agreement at the bargaining table. Now they won't.

The Essential Health and Community Services Bill requires unions and employers to have an essential services agreement in place before any job action is taken. They must agree on what services are essential and the staffing levels required before a strike or a lockout can begin. If they can't reach an essential services agreement, an independent third party will decide for them.

I want to be very clear: this legislation protects workers' right to strike. Some may claim this legislation takes that away. They are mistaken. In fact, this bill balances the need

to protect health and safety with employees' right to take job action. Even with an essential services agreement in place, some workers will still be on strike. Not all services will be provided, and Nova Scotians will feel the impact, but this bill also ensures that if there is a strike or lockout, crucial health and community services will not stop. There will be a clear process that ensures both sides must agree on how essential services will be provided, and Nova Scotians will know they can still access services that protect their safety and their physical and mental health.

Nova Scotia is the last province in Canada to put essential services legislation in place. Most employers and unions reach collective agreements without strikes or lockouts, but even the possibility of a labour disruption can create stress and confusion. This bill gives certainty to people who need it and provide care, and sets out a reasonable process to ensure essential services are provided even during a strike or lockout.

Mr. Speaker, this action was necessary. Along with public health and safety, this legislation protects the right to strike once an essential services agreement is in place. Government is acting on behalf of Nova Scotians in ensuring their care and safety are protected. Thank you.

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

HON. JAMIE BAILLIE: Mr. Speaker, here we go again. Nova Scotians, once again, are brought to the brink of a crisis in our health care system, this time by a Liberal Government that waits until the last minute, that allows important surgeries and other procedures to be cancelled, that allows the Nova Scotia patients in our hospitals to worry and to face greater hardship than they already have to endure, before it acts with legislation brought in on the eve of a strike. Legislation meant to solve a problem for today, when Nova Scotians want to know not just for tonight and tomorrow, but for all time that their hospitals and their health care workers, their nurses, doctors, paramedics and others will be there when they need them.

What we have today is a government that is caught up in its own talking points instead of addressing the realities of Nova Scotians who live and rely on our health care system. It became pretty obvious just a few minutes ago that we have a government that has a problem, and the problem that the government has - or one of them - is that they need to reconcile what they told the people of Nova Scotia before the election when they were in Opposition, compared to the actions that they are now taking. They need to reconcile what they told nurses and other health care professionals who relied on their words from before, to reconcile that action to what they are now doing here tonight.

Nova Scotians are tired of this treadmill. They are tired of seeing their health care system thrown into crisis after crisis after crisis because there is no plan, because there is no consultation, because there is no working with those very front-line workers who provide care to make sure that our system is there for Nova Scotians who need them.

No wonder our nurses are frustrated. These are hard-working, front-line health care workers, our registered nurses and others who are caught up by this bill. They populate our ICUs, our intensive care units, they work at the East Coast Forensic facility, they work in our ORs, they work on the cancer floor, among other places. These are the most vital front-line workers that we have in our health care system and no wonder they are frustrated. Time after time they have spoken up about the level of staffing in our hospitals - the very people who work there every day, who have dedicated their professional lives to helping Nova Scotians in medical need. They point out that that need is not being met.

We are here tonight because every time nurses have spoken up, they have been held down. Whether it is the manager in their own unit, whether it's the executives who run our hospitals, whether it's the boards and CEOs and others in our health authorities, nurses have in every step of the way stood up for patients and patient care, only to be held back. No one has listened.

The final step was to approach the new government to make the case that this isn't just your usual old-style form of collective bargaining where the issues are wages, benefits, holidays and so on. This time it's actually about whether there are enough nurses on our wards in hospitals or not - and still they get this same old-style response from the government, not to actually listen to the people who provide that work in our hospitals every day, but to engage in the same tactics, the same back and forth, the same heated rhetoric, the same grandstanding that has gone on in these kinds of situations in times past that always leads to the same result and that is that Nova Scotia families are brought to the brink. Well that brinkmanship has got to stop, Mr. Speaker.

No one has engaged in brinkmanship with our health care system more than the Liberal Government here and the Premier in the last few weeks. When nurses want to make a point about the staffing in our hospitals they are challenged, their professional credentials are insulted, they are threatened with reporting to the College of Registered Nurses, and their very licences are brought into question.

Well, Mr. Speaker, the best way to ensure that our hospitals are there when people need them is to actually have a government that listens to those workers who provide that front-line service every day, and that's a failure of government that has brought us to the brink yet again.

For those Nova Scotians who are in our hospitals or use the systems, for those of us that visit our friends, our families, our neighbours in the hospitals today, Mr. Speaker, whether it's emergency services, or in step-down facilities, or in the wards themselves - we all see how hard nurses work. We all see the care that they provide. We all know the intense, heavy physical labour that nursing is. We all know the paperwork that they are asked to do - more than ever before - when they just want to be there helping everyday Nova Scotians who are in our hospitals.

Nurses have been through all the legitimate means trying to make a point that there is a problem with staffing in our hospitals. Now, after all the other ways of trying to get change and trying to be heard have failed - they turned to the government, and it fails - they go to the negotiating table. Nova Scotians may be wondering why that is, but they ought to know that our nurses took an oath to protect patients, to advocate for patient care. They are required by their profession and they're driven by their own desire to work for Nova Scotians in our health care system to make these points. Now they are placed into this horrible conflict by this government that tells them, never mind the staffing levels, we're going to treat this like all labour negotiations have been treated in the past and bring it to the brink and play a game of chicken with our health care system and bring it to the point of crisis and put nurses in the position where they have to decide whether to continue on with their quest for better staffing in our hospitals or be ordered back to work.

I can certainly understand the frustration they have. After all, just six short months ago last September, the now-Premier - the person who was running for Premier at the time - told the Cape Breton Post in an article that I tabled here just the other day that a Liberal Government would never interfere in the collective bargaining process. Well, nurses certainly took the Liberal candidate for Premier, and the Liberal candidates for office, at their word on that one. No wonder they are frustrated here tonight.

On Saturday, nurses went to the Liberal convention and were told there by the Premier that he would allow them to continue to collectively negotiate for better conditions, and that he wouldn't interfere legislatively while those negotiations continued. Now here we are, two short days later, with mediation still going on, and a bill comes before the House. No wonder they are frustrated.

Now we have a government and a Premier that says that they are not taking away nurses' right to strike. Well, Mr. Speaker, we truly do live in interesting times under a Liberal Government, where up is down and left is right, where they say one thing and do another. Let's be clear: whether you agree with the right to strike or not, the government certainly campaigned on it and wants to say that it's still in place, but nurses themselves and other health care workers know that this bill guts that right to strike.

The test of who is right is not going to be what the Premier or the minister or the government says, because words are cheap. The test will come tomorrow in Law Amendments Committee, when we hear from nurses and health care workers and Nova Scotians themselves about whether they feel they've been listened to, whether they feel that their rights have been respected by a government that said they would respect them, whether they feel the health care system is strong enough to withstand the kinds of tactics the Liberal Government has brought forward today. That will be the test.

I just want to add that here we have a time when I know we certainly truly want to make sure that patient care is there and is protected, the government brings in its bill as its

great solution but it is silent on the big issue in question - are our hospitals properly staffed or not?

There is nothing in this bill that addresses that very fundamental question. We spent the last few days, since the House opened, asking the government over and over, how do you know whether nurses have a legitimate point or not - how do you know? What have you done? Those have been the questions to the government - what have you done to make sure that most fundamental thing, staffing of our hospitals, is looked after? Maybe we should be listening to people who work in those ICUs and ORs and in the hospitals and wards. Maybe they have a point and maybe they're here because they are so frustrated that they have not been listened to on that fundamental question.

We have a bill today to debate that says nothing about that fundamental question. It doesn't even propose a look to see what has gone wrong in our hospitals that has driven nurses here to this point. That is astounding to me, to us, that the government would bring in a bill that doesn't even address or look at the level of staffing in our hospitals. Nurses deserve better than that. You know who else deserves better than that? Patients. Everyday, real Nova Scotians who rely on our health care system deserve better than that.

I really believe the reason that there is no plan from this government to make sure health care is there when we need it - not 40 per cent there or 50 per cent there, but that there is proper staffing in our hospitals - is because from the beginning with its blinders on, all the government has seen is a contract dispute and they've treated it like a contract dispute and they pulled out the playbook from so many health care disputes past and ratcheted up the heat and the rhetoric and the sense of crisis and brought Nova Scotians to the brink again.

That's why nurses are frustrated at the way they've been treated by the government. That's why patients are concerned that their health care will not be there when they need it. What they see is the same old approach, the same old treadmill that we've been on too many times.

The great irony, of course, is that the government's answer to nurses is to tell them that we know you're trying to say that there are staffing shortages; we know you're trying to say that you're overworked, but the government's answer isn't to listen, but to actually propose that they negotiate for fewer nurses when, in fact, the problem is there's understaffing already.

Ultimately, with this bill, all the time and energy that should go into ensuring that our hospitals are properly staffed, that there are enough nurses in our wards - all of that positive time that could be spent getting it right will now go into negotiating whose health care is essential and whose isn't. Well that is not the way Nova Scotians want their care to be protected. It's not fair - it is not fair to nurses and it isn't fair to patients either.

Mr. Speaker, I'm sure we're going to hear a lot about patient care during the course of this debate, as we've already heard about it in the past few days, so let's be clear - patient care has already been reduced, it is already compromised. We already know stories of individuals and families who have had surgeries cancelled, whether it's hip surgery, knee surgery, whether it's eye surgery. There are already Nova Scotians who are going without the health care that they need and that will continue under this bill. They are going without the care they need at a time when all Nova Scotians know our health care system is already tight. There is no slack, there is no room for more.

We have record wait times for many procedures already so every surgery that is cancelled now, every test that goes delayed just adds to the backlog that will have to be dealt with when this is all over. That means that patient care isn't just at risk today or tomorrow, but it continues to be diminished for an awful long time, after this bill comes and goes. That is not fair to nurses or patients.

Addressing the bill just for a moment, specifically, I am concerned that as the bill goes through, as I have no doubt the majority government will see that it goes through - whose surgery happens in the future and whose doesn't will still be a matter of negotiation. Nurses' concern about the level of workload in our hospitals and wards is not going to get better - it is going to get worse as the government requires the negotiation to ramp down nursing services.

I know that Nova Scotians are going to be concerned to find out that when there is an unresolved dispute about which of them is essential, whose care is not essential, that the Labour Board will make that decision for them. Well that's not what the Labour Board was set up for. That is not where the expertise resides to determine which medical services can continue and which ones can be negotiated away. That doesn't protect patient care.

At the end of the day, the best that can be predicted from this bill is that when there are strikes in health care, they will be longer. They will be more frustrating for our health care workers. Our service levels will be reduced and many people will go without the care that they need. Ironically, the bill itself - after all these hoops have been jumped through - proposes binding arbitration as the final way to settle disputes in health care.

I'm sure we'll debate the solution of binding arbitration as the debate on this bill goes on. Let me just say right now that I understand that our health care workers, our nurses and others, don't really want to go on strike. They have been driven here by the tactics that brought us to the brink of a crisis. They go through the legitimate process of raising concerns about adequate staffing in our hospitals and wards and the response they get is the same old tactics that have gone on in health care disputes in the past.

We don't want a strike in our health care system either and neither do all those Nova Scotians who either directly rely today or may rely on our health care system at some point in the future. We are certainly prepared to do all we can with nurses, with health care

providers to avoid strikes like this bill contemplates, including respecting the views of those Nova Scotians who work on the front line of health care.

I started my remarks by saying here we go again, and yes, here we go again. I think Nova Scotians will see that bringing in legislation in the middle of a crisis, on the eve of a strike, does not serve them very well, and that there has to be a better way. There has to be a better way. There has to be a way to resolve contract disputes in our health care system, to resolve legitimate questions about whether our hospitals are properly staffed or not, that is respectful of those who serve in our health care system, that ensures that they are listened to and that their views are taken into account, and ensures that our hospitals are properly staffed; a way that ensures that all patients are protected, that all patient care is there for those that need it, and that we can do away once and for all with this old style of brinkmanship, which just leaves everybody worse off.

That is where we want to go, Mr. Speaker. That is where we are dedicated to. That is what we have been talking about. Not just today, not just yesterday, but for two years I've criticized the government for saying one thing to nurses and health care workers before the election and doing the opposite. I know many Nova Scotians respect political Parties and figures that are consistent, that say the same thing before elections, during elections, and after the election. That's not what we're getting from the government, but that is an important quality if we are ever going to get off this awful treadmill that the government continues to have us on.

With those few words, I will just conclude tonight by saying that we are certainly looking forward to hearing from nurses and from other Nova Scotians - hopefully many of them - when we get to Law Amendments Committee sometime tomorrow, because they are the true test of whether the government's words and their actions line up or not. Thank you, Mr. Speaker.

MR. SPEAKER: The honourable Leader of the New Democratic Party.

HON. MAUREEN MACDONALD: Mr. Speaker, I take my place here in this debate this evening with a real sense of frustration, sorrow, disappointment, and astonishment. I have to say it is astounding that what began as a contract dispute with 2,300 registered nurses is now potentially an attack on the democratic rights of workers in the health care and community services field from one end of this province to the other that will have an impact on close to 40,000 workers in the province.

Not only is this a piece of legislation that will have an impact on those workers but it has an impact into the future for future workers. Unlike Bill No. 30, which this government brought in not so long ago, which expired with that round of collective bargaining, this particular piece of legislation goes on in perpetuity. It applies to collective bargaining for all time in the Province of Nova Scotia.

Mr. Speaker, I've been in this House now for 16 years, and I've seen some bad pieces of labour legislation come before this House. The notorious Bill No. 68, that some of the members on the government side who were here for spoke passionately against - the Government House Leader, for example - was one of those pieces of legislation. Bill No. 1, another piece of legislation - but you know I can honestly say that as bad as those pieces of legislation were, this bill, Bill No. 37, is worse and why is that? It is worse because it's deceptive and it's intended to be deceptive.

This bill claims, and the Premier claimed here during Question Period, that it was a balanced piece of legislation, that somehow it finds a balance between taking away the right to strike and something else, when, in fact, it is all about neutering the right to strike of health care workers and workers in residential care and children's services across this province. Why should we all be concerned about that? We should be concerned about this because in a democratic society the right to free association is a fundamental right like free speech. It is a right that is protected in the Charter of Rights and Freedoms and it's a right that the Supreme Court of Canada has upheld, including the right to strike.

We all have the fundamental right to free speech, but we also have a responsibility to use that right in a responsible way and, in fact, there are reasonable limits placed on that right so you can't run around crying "fire" in a theatre and you can't perpetrate hate against particular groups and you can't slander people or libel others. So there are limits on these rights but at the same time those rights are inherent; they are inherent rights and they are rights that we should and must respect.

When we start to examine this particular bill in terms of its respect for the rights of health care workers to, in fact, belong to a union, bargain collectively and withdraw their services in that process of exercising their rights, what we find in this bill is an attempt to make those rights impossible to exercise, very difficult to exercise. That's what this bill is all about and it's clear, it's obvious and it's particularly obvious in this case. This is not a bill about essential services or emergency services. We had a group of nurses who were negotiating and who were prepared to provide the essential and emergency services that they have provided for many, many rounds of bargaining - some when I was Minister of Health and Wellness - when they staffed the emergency rooms, when they continued to provide cancer care, when hemodialysis continued to be provided, when services for veterans and the veterans' units continued to be provided.

This is not a situation where there were no nurses prepared to continue to provide those emergency services. So you have to ask yourself, what in the world is this government doing other than seriously eroding the ability of our health care professionals to bargain collectively and to have a real impact on the work that they do and to have the concerns that they have addressed?

I want to remind members on the other side what those concerns are. We've all had contact from nurses in the last two or three weeks probably. Some of the e-mails I've had



have been very informative and they've been very compelling, very compelling. The nurses have talked about changes that have occurred in their workplace over the last little while that have resulted in a number of things that they are concerned about which have had a significant impact on them. They have talked about how the scheduling has changed and they have talked about how a new computerized system with some name I can't remember - it starts with a K - that costs some outrageous amount of money has been introduced into the system, and this computerized system has resulted in an inability to have the same kind of flexibility in their scheduling as they previously enjoyed. This has had a real impact on their work/life balance and on their job satisfaction, and if anybody in this Chamber thinks that's not relevant, when you think about how your health care system functions and how health care is delivered, I have news for you.

Mr. Speaker, job satisfaction is one of the most important things that we in this House need to be concerned about when we think about our health care providers. These are people who work shifts, and shift work in and of itself is a very difficult way to be in the workplace. The way that interacts with your family life and the way that you have to balance all of those kinds of demands and requirements in your home life with your work life can be really quite stressful. So when you start mucking about with a scheduling system with the objective of ringing every little bit of time you can possibly get out of your workforce and showing very little flexibility in a personalized way with your employees, I guarantee you, you will run into difficulty.

Based on the conversations I've had, that is a concern here. This legislation ignores that. This legislation says that's not a problem, we don't really care about that. We don't want to hear about that; that's somebody else's problem. We're not your employer; you go deal with management over at Capital District Health Authority on that and we'll make sure that you have to do that. So we have a government that's not listening to the health care workers, not listening to its nurses, not demonstrating that it really cares about the concerns that they have raised, and I'm not sure that that's the kind of message I want health care workers in this province to be getting from our government.

Mr. Speaker, I had the very great privilege of being the daughter of an elderly person in our health care system, probably over a three-and-a-half, four-year period. During that time I spent many, many hours with my father in three of the largest hospitals in our province: the Queen Elizabeth II hospital, the Aberdeen Hospital in New Glasgow, and St. Martha's in Antigonish. The nursing care that my father got was outstanding but there were times when he and I, and everyone else around us, knew that the nursing staff were really stretched to the limit. That's when it was really important for myself as a family member to be there doing some things to help out but that can't always be the case, plus we have no - I have no nursing skills.

These health care providers work under the most difficult, difficult situations. I had a nurse write me about two weeks ago and she told me about one of her last shifts where they had a number of patients on the unit who all had very serious sepsis infections. If

anybody knows about this - and it's quite common particularly with so many aging chronic patients in our health care system - they require very, very tender care, close monitoring, lots of following of vital signs and the administering of intravenous and antibiotics and what have you. This particular nurse wrote me about how at the end of her shift she swept. She went on to shift early in the morning and at 2:30 p.m. or 3:00 p.m. she still hadn't had breakfast or a break. She was working with numerous others; I think there were four or five other nurses on the unit, a couple of them student nurses, and a nurse who was returning from maternity leave who had been out of the workplace for a while. Her concern was that she hadn't given them what they needed to do their work and feel a level of satisfaction and know that they had provided the best care they could, they were so stretched.

This bill ignores this. This bill says well we really don't think that's a problem. We have a Premier who suggested, when the nurses attempted to bring their concerns to him, he suggested that maybe they should be disciplined by their licensing body, imagine. Imagine you have a group of caring professionals, many who have dedicated years and years of their lives to caring for others, and at a time when they need someone to care about them, to hear what their concerns are, to help address their issues, they encounter a Premier and a government who say, this isn't our problem, and if you try to make it our problem, we'll show you. We will limit your rights. We will take away some of those rights. We will put you in a position that will show you where the power really is, and it's not with you and it's not with your union. It's with us.

That's what this bill is all about. This bill is all about who has the power and who's going to use the power and how it's going to be used, and "we really don't care about these problems." If you cared about those problems, Mr. Speaker, we would not be here at 2:06 a.m. with a piece of legislation that is taking away the democratic rights enshrined in our Charter for people to freely associate, to bargain collectively, to have their issues addressed, and to be able to do the work that they have passion for and they love, but for which their job satisfaction has been seriously, seriously harmed.

It is not a big revelation to the people of the Province of Nova Scotia that nurses feel stressed, that nurses are overworked, that nurses are stretched to the limit, and that this needs to be addressed. If you talk to the average person, and if you talk to people who have had loved ones in care facilities, they'll say, oh, sure, I know that. They'll tell you the stories of what they've experienced when they've had a mother, father, brother, sister on a hospital ward. So it's well known that this is a problem. We have a problem in terms of the way we staff our hospital system and the scheduling that's going on - particularly here in Capital, I think - not only scheduling for the regular workweek, but also how people get time off, how people are scheduled for vacation and other time off.

I've heard nurses talk about how difficult it is to plan a vacation and actually get a period of time off. Imagine if you did the kind of high-pressure, stressful, caregiving work that nurses do, and you need time off. You need to spend time with your family, with your kids, and you can't get away - or you've been planning a vacation, but you can't get the

time that you're planning for. You've got to take your vacation based on somebody else's plan, after you've been working in the system for years.

This is not the way to run a railroad, as they say. We really, surely, can find a way to sit down with our health care professionals and find a reasonable way to work towards solutions that will address these issues.

One of the things that really surprised me is how quickly it has taken this government and this Premier to change their tune. Again, I've been here for quite a long time, Mr. Speaker - some people would say too long, perhaps. I wouldn't say that, but some people might say that. I know nobody on that side would ever say that. It's very obvious that the Premier spent a significant part of his time here, when he was on this side of the House, presenting himself as a friend to the working person in the province, to the unionized worker. He condemned the Progressive Conservative Government when they introduced legislation to take away the right to strike from health care workers and he indicated that he could never support such a thing because he fundamentally believed in collective bargaining.

Well, we now know that was a bit of a sham. The Premier has either flip-flopped or he has always harboured these views but didn't want them to impede his ambitions to be the head of the government in the province. So he has spectacularly gone back on his word and what makes this bill so deceptive is the way in which the Premier wraps this bill in the cloak of a balanced approach, that this has nothing to do with taking away the right to strike; this bill has nothing to do with the previous pieces of legislation that he didn't support, but in fact, it's exactly - it's worse than - what these other pieces of legislation were.

I would say to the Leader of the Official Opposition, yes, at least he's consistent in his position. It's not a position that this caucus supports, but he has consistently supported the elimination of the right to strike in the health care sector. He has been very consistent on that, and his position is that rather than having the right to strike, the health care workers should be sent to some form of binding arbitration. The Premier, on the other hand, is really hiding behind this bill as a bill about essential services. This bill is no more about providing essential services than you are Rin Tin Tin, Mr. Speaker. This bill really is about eroding the right to strike to the point where it will be almost irrelevant.

What are the implications besides eroding people's rights because research across this country tells us that you can take away somebody's right in law but that doesn't mean that they want to exercise their rights? In other provinces where they have adopted similar legislation, what has the impact been? Well the impact has been that workers go on wildcat strikes. They go on illegal strikes and these strikes are harder to manage and it can be more difficult to get people back to work.

Is that what we want in Nova Scotia? Do we want to have our health care workers have to go on illegal strikes and then have a big mess on our hands? You think that we have a system now that provides uncertainty; there is no greater uncertainty in a labour dispute than one that is an illegal dispute without any rules, without any timelines, without any regard for the regulatory framework that is set out under the Trade Union Act.

Not only is this a deceptive piece of legislation, Mr. Speaker, this is a dangerous piece of legislation. It poses significant danger to the stable and smooth functioning of our health care system. I know that there are people in this province who think that the collective bargaining process in the health care system is broken; I've heard people say this. But even if this were to be the case, this is not the legislation that one would bring forward to fix that and if a government were really serious about fixing a problem like that, I would hope their approach would be much more thoughtful, respectful, and consultative than this approach.

The Opposition Parties didn't even see this legislation, knew nothing about this legislation. This is such a fundamental piece of legislation, in terms of people's democratic rights and the way labour relations is done in this province, one would have thought, one would have hoped, particularly from a government that was going to do things differently, was going to be more collaborative, more consultative, that at the very least we wouldn't be brought into this Chamber, have the bill dropped, have a recess, and have the Opposition Parties briefed after the fact. In all the time I've been here, I do not remember the bill briefing to the Opposition occurring after the bill is tabled, ever.

Let us be clear, this is an extraordinary piece of legislation. It is being moved through this Legislature in an extraordinary way and that is because I believe that the government is fully aware that this legislation does not make them look too good in terms of their ability to manage the complex and complicated labour relations that exist in the health care sector.

In the next day or two we will have an opportunity to debate this particular bill, clause by clause, and not just in a general sense as we do here on second reading. At that time I think we will be able to point to a number of significant technical and other problems with this bill, in terms of the heavy-handed nature with which this government is not only eroding the collective bargaining rights of the workers who will be impacted by this, but also, I think, eroding other rights. Such as the ability to get the kind of good collective agreements that workers strive for when they are looking for a better deal for themselves and their families.

In the next little while, we will hear from probably a variety of health care providers and people who provide services in the community. This bill goes far beyond nurses. This bill will impact many other groups who work in our health care system. It will affect technicians, people who do all kinds of diagnostic services. It will have impact, probably, on other health professionals like physiotherapists, occupational therapists, and perhaps

people who work in pharmacy, social work and dietary services; so it goes far beyond the nursing workforce.

With respect to community services, this is a bill that will affect people who work in the residential care facilities, in group homes, in child protection and child welfare, perhaps in adoption services and all of these services that are provided through the Department of Community Services. It is very far-reaching and as I said, a fight that could have been dealt with much differently - and certainly could have been contained in terms of the number of people - has now been picked with a much larger group. It is not a sensible way to approach collective bargaining in the province and it will leave a very bitter taste in the mouths of workers from Yarmouth to Sydney. It will have those workers wondering why the government is so disrespectful and why they fail to recognize and value their workers and their workers' rights.

People in our province, who go to work every day, want to be respected, particularly when they are working for government, when they are public servants and they are our employees. These are your employees. No matter how many times the Premier says these are not our employees - they are your employees. The revenue that funds the district health authorities, the revenue that funds the Department of Community Services, that flows through to these various agencies, come from you and you know very well that you set many of the policies. It was very obvious what the Minister of Health and Wellness and the Premier were thinking about this whole collective bargaining process, as the union and the Capital District Health Authority attempted to carry it out.

It was unfortunate that the Premier and the minister probably inserted themselves in that process in a way that, perhaps, gave the health authority the impression that they didn't have to work too hard to arrive at a solution around scheduling, around this new computer system, around the vacation system, around issues like workload, otherwise we might have had a different outcome than we have now.

How am I doing for time, Madam Speaker?

SOME HON. MEMBERS: Keep going.

MADAM SPEAKER: There's still 20 minutes.

MS. MACDONALD: As I said, our concern is that we think these negotiations weren't handled well by the government; they were botched by the government. We could have had a different outcome.

I think the legislation is very heavy-handed and it is certainly in need of not only debate but I think this is a piece of legislation that could use a sober second thought. I'm not a big fan of the Senate, as you know, Madam Speaker, but I know that the Premier is very happy about the Senate, especially the senators he paid tribute to at your convention

on the weekend for their fundraising prowess. Perhaps in this case, if we had a Senate, they could be a place for a sober second thought with respect to this legislation. It might not be such a bad thing to have because - to be quite candid - this legislation, as I said, is probably the worst piece of labour legislation that I've seen in my time here.

I understand that when the Liberal Party was last in government, which is 15 years or so ago, I guess, the government at that time had some pretty terrible labour legislation as well, and so in many respects, we probably shouldn't be surprised that we have such a terrible piece of labour law in front of us here today. However, one would have hoped that over the 15 years that the Liberal Party had sitting on the Opposition bench, they might have had time to consider some of the errors that they made in government and they could have reflected on the mistakes they made with respect to labour relations when they were last in government but it appears that if they did reflect on that, that reflection didn't last too long, Madam Speaker. It seems they have forgotten about the impact of this kind of legislation on Nova Scotians who may not get to have their say, today, on this bill, but they will get to have their say.

There are lots of things that Nova Scotians are prepared to forgive and forget but when you take someone's rights away, and when you take them away permanently, and when they are people who are well informed and they understand that in this country there is a Charter of Rights, that Charter does guarantee certain things like the freedom of association and many of the benefits that accrue from that, including the right to collective bargain and the right to strike; when they see their government ignoring those rights and impeding those rights, and limiting those rights, and abolishing those rights, then that's something they don't take lightly and that's something they don't forget. They will remember this and they will continue to look for an opportunity to be able to express what they really think about this kind of action and activity.

Madam Speaker, I'm soon going to take my seat because I think I've pretty much made my point that I had here with respect to my concerns about this bill. If I had to sum it up though, I think my biggest concern is and will continue to be for the nurses themselves, for the health care workers themselves, and for the compassion that we should have for them as they do work that we ask of them. You know, we have high expectations; the public has very high expectations of health care workers. As someone who sat in the Health and Wellness Minister's chair, I know how high the expectations sometimes are of health care workers, and there are nurses and health care workers who take those expectations to heart and they are frequently heartbroken, heartsick when they are unable to provide the level of care that their training demands.

We have to do more to support them. We need to do more for care for our caregivers. We have an aging population in this province. We have a population with very high chronic disease. The acuity of people who are going into our health care system in our regional hospitals for example, and in our tertiary care hospitals here, is very, very high. We rush people in and out sometimes and these are the caregivers who make it possible for

people to return home and they need to be respected; they need to be supported. We cannot afford to lose our young recruits out of our province. We have an aging nursing workforce like the demographic that is going through most other professions. They have an enormous amount of experience and knowledge and we cannot afford to lose all of that all at one time, either. So we need to find ways for our health care system to be flexible, to be supportive, to be caring of the people who work in it as well as the patients who end up getting care there. You can't separate those two.

I have to say I find it a little reprehensible when professional caregivers are pitted against their patients, when it's suggested that if you really cared you wouldn't be putting your patients in this position. Pardon me, but at some point people who are caregivers, their needs and their situations and their concerns have to be looked at; they have to rise to the top of that list and get the attention it needs and deserves or nobody will ever get around to caring about those issues. Our health care system and our patients will be worse off if that is allowed to occur.

The conditions for providing good care are linked, inextricably linked to the conditions in which we have the health care workers work and shown respect and provided with a level of job satisfaction that comes from knowing they are respected and they are able to do their job to the best of their ability.

With those few remarks, Madam Speaker, I would like to put a motion on the floor. I would like to move that the motion be amended by deleting all of the words after the word "that" and substituting the following: Therefore Bill No. 37, an Act to Ensure the Provision of Essential Health and Community Services be not now read a second time, but that it be read a second time, this day, six months hence.

MADAM SPEAKER: The motion is in order. Is there debate on the motion?

The honourable member for Cape Breton Centre.

HON. FRANK CORBETT: Madam Speaker, I would like to speak on the hoist motion. As my Leader quite accurately portrayed, what is going on here and the idea of a sober second thought - it's interesting when we do a hoist motion because it's a motion that is used in this House from time to time, but it's not used with a whole lot of regularity. It's usually one that is put there in a thoughtful way and to speak of certain things.

I've seen hoist motions that talked in terms of six months; I've seen them talked in terms of a year. This one here is six months. What would six months do for the workers? I would think it would give many of the workers time to absorb who is in and who is out of this bill.

I don't think it came as any great surprise today that this government decided that it was going to use essential services legislation. They were coy all weekend, but this is a

pretty hefty bill. I don't think this was written just late this afternoon or anything, while the parties were both in the collective bargaining process. No, Madam Speaker, I believe that this bill was written some time ago and that the government had time to reflect on it. I would suspect that for a fair portion of time that the actual Cabinet would have had it in its hands to look at it and debate. Debate how vigorously, I'm not sure, but what will be interesting in a six-month period is to get around and talk to the public sector workers who are actually going to be impacted in this bill. As I am wont to say, this is a bill that really covers the waterfront as it relates to public sector workers and to find out for those public sector workers how this will impact them, how Bill No. 37 will be interpreted, how will they be able to negotiate a fair and balance collective agreement.

This bill, as it sits, is not fair nor is it balanced. It is one that really takes one side over the other. It's one that says okay here's what you may do but also, I believe, if we had time six months hence to study it, it would tell us that the arbitrator would be told certain things and they would be limited. They would be limited in scope to what they can do. So this is not fair or balanced, Madam Speaker.

So we could talk to the various workers and the workers could be able to tell the government of the day, the Premier and the ministers, how wrong-headed this is because when you look at a bill like this, there is a fundamental assertion here that is wrong. The assertion that this bill makes is that the whole purpose of collective bargaining is to put yourself in a strike position and to withdraw your services. That is so far from the fact that it's laughable, almost, when you look at Bill No. 37.

That is a reason that we could go out and talk to the workers and ask them, what is your perspective on the strike issues before us? What are the issues as they relate to collective bargaining? What do you need? There is no balance in here about work life balance, Madam Speaker. There is nobody talking in the bill that we would like to see hoisted that would say, we understand the stresses of your job. We understand that as it relates to front-line health care workers such as nurses, the real tragedies that they have to deal with on a daily basis and how they should be compensated for that.

No, they would want you to send this out to a third party and not acknowledge the work that these health care providers give us. They would rather say, here you go; you decided, and oh by the way, when you're deciding this, you can only look at a certain criterion. If we had six months, if the workers had six months, then they could truly sit down and parse out this bill and say that this is the wrong way to go. This is not what we want to do. Whether we're health care workers or we're working in community services or we're working across other areas, this bill takes the heavy hand of government and reaches in and disturbs that balance.

Collective bargaining does not work in the public sector or in the private sector if both parties aren't equals. I believe, if the workers were given six months to look at it, they would tell you that. I would think that employers would say the same thing. I didn't hear



from the Capital District folks or whomever saying that they needed this bill. I didn't hear from group homes saying that they needed this bill. Who was consulted on this bill? It was a very narrow band and so we find ourselves here asking, why wouldn't the government respect the workers enough to go and tell them the honest to goodness truth about this bill?

We heard it time and time again in Question Period, put forward by the Premier, saying this is fair and balanced. If this is fair and balanced, I would hate to see what they're going to think of Thursday's budget because neither one is fair or balanced. We would need to speak to all these workers. There's a possibility that 40,000 Nova Scotians are going to be directly affected by this bill. I think it's not given to hyperbole to say you can extrapolate that out to an easy 100,000-plus, if you think of family members and you think of how the job ratio would go out as it relates to other jobs in the area. How these people interact with grocery stores, other retailers, or the buying of homes or so on. These are all there.

This bill causes an uncertainty so the workers should know that. The workers should be given the credit to know what this is about. This bill, while it is aimed at public sector workers, the reality is it sends a chill down the backs of all workers because they wonder who is next. You've thrown off the balance now; there is no balance in the public sector, so why should I engage my workers in the private sector?

If I'm sitting there and I'm watching this unfold I'm saying, well the government does it; the government has used this heavy hand against its employees so I'm saying that I should be allowed to do it. I'm a taxpayer. I have a company and the government has come in and plunked down a set of rules without any consultation with anybody else in the workforce so therefore I should be allowed to do that. I should be allowed to handle this as I see fit and there is no balance here and if, indeed, my employees would strike up and try to bring some balance to the workplace then I, like the government, should go to a section of the Trade Union Act and say oh by the way, include my workers in here because they're necessary for my profits, so you cannot go on strike, you cannot take any work action.

These are issues that we could talk to workers all across this province on if we were given six months and they would hopefully understand it. Once these issues are out there and this bill is passed, it is much like trying to get it back into the box; it's just not going to happen. The balance is off and we will have worker unrest in this province and you will have issues as they relate to the shop floor, if you will, because if the workers do not have the right or feel they have the right to be heard in a meaningful, justified way, it's going to make for very dubious labour relations, but this is what the government has decided to do. The government today could have let the collective bargaining process play itself out, but what it chose to do is bring in, through Bill No. 37 - such a large bill - that it really took in almost everybody in the public sector and said, okay, we're going to get you.

It's interesting, the Premier keeps saying three issues as it relates to health care in this province, in less than a year, and I would say, without going into semantics, that two of

those have been in approximately a month and have been on the watch of this government who cannot fulfill their job as the collective bargaining team with its employees. We've said all the way through on this, at the end of the day, it is the government that controls the purse strings of the DHAs and this is what's going to happen. So for the government to shirk its responsibility and say, oh no, that's Capital District - well since we've started speaking here, I don't see anybody from Capital District come up and say, this was our bill. This is what we wanted, this is what we gave to government, this is what we told government we had to have.

I would suspect the employer - the direct employer if you want to portray it that way - would be the one to say we realize that this is not conducive to good industrial relations. This bill will cause problems with our workers because if they can't get a resolve through the front door, they'll do it through it through the back door.

This bill would be a great bill to take six months to go out and ask the workers - what do you think Bill No. 37 does to your rights as a person who works in a group home, who was up until hours ago thinking that maybe in a couple of weeks they would be in collective bargaining and so on? Now that they find, for all intents and purposes, that their collective bargaining has been eroded, would the worker think of - we'll say in six months, if the government put out a mandate as it relates to wages of zero increases, is that what precipitates this bill? Is it the fact that if they would know very well that they couldn't get resolve at the table for zero increases, that this is the hammer they have to use? Is that the draconian effect of this bill?

Is the government just doing that? Is this the veil in which they're going to bring in zeroes to the employees? That is the question that I would like to have six months to ask workers - if they know this would be the effect on them.

Let's talk about the members across the way who aren't in the Executive Council. How much were you involved in the drawing up of this bill and how far along were you brought through this process? Were you hastily called into a caucus meeting and told - we're dropping this down and this is what we're going to do and buck up - it's going to be alright. Don't worry about it; this too shall pass. Is that how it was explained to the members of the Executive Council. Maybe they would deserve six months to have a look at this bill that they could take it back to their constituents and say, the Premier has told me that I have to support this bill, I didn't buy into this game to support this type of bill but I want to ask my constituents, I want to ask them, what do you feel. A large number of the members in the government caucus would be from metro here where there are a lot of health care workers - what is your feeling, do you think this is a fair and balanced bill - and give the members six months to look at it.

I think that would be reasonable, Madam Speaker, if they would just say let's just slow this down. The last I heard, clearly the union was still looking at the proposal and that they may have come back with a counter, I don't know. Nonetheless if we have given the

members of the government backbench six months to go out and talk to all of their members, all of their constituents and find out how do you feel about this, do you think this is fair - my Premier says it's fair, my Minister of Labour and Workforce Development says it's fair, but do you think it's fair, the constituents, the people that put me in this illustrious House. Is this fair? Is this balanced?

They could do that for six months, and they could go, and they can use whatever devices that are available to them. Whether it's eye to eye, whether it's Facebook, whether it's all the ways we have of contacting our constituents these days, Madam Speaker. That's a way that the government backbenchers could really get a feel for this bill. You know, do they really understand and grasp the significance of this bill, and I believe that six months would give the government members time to look at this and to really think it through. We've seen bills, my Leader talked about some of them before - Bill No. 1, Bill No. 68, Bill No. 30 just recently - but what does this all mean in the context of your constituency?

We had a time here - the Premier is fond of saying, we respect the collective bargaining process - I'm assuming that he means Liberals. Well you know, Madam Speaker, I think it will be time for some of the backbenchers to go back and really look at the history of the Liberal Party - how it really does respect the collective bargaining process. I can tell you the last time they spent a considerable amount of time in the 1990s in government, one would say that they were anything but worker friendly, where they made people take days off without pay, where they froze wages. I don't think it was all that even-handed, and you know what? All that on the backs of workers, and they couldn't balance the budget.

This idea of forcing collective agreements on workers should be a message that all the government backbenchers should be sent out with, as they should be responsible first and foremost to their constituents and not to their Premier - why is this necessary? Why are we doing this very draconian bill that's much broader than anybody anticipated today, Madam Speaker? I mean think about it. As I said earlier, it was just a few short days ago that the government was either being coy or didn't know when asked if they were going forward with this type of legislation. Whatever their answers were, they weren't exactly being up front with it.

So if they weren't being forthright with the people who were asking the questions, how up front were they with their backbenchers? When did all of these folks know so that they could stick their toe in the water, so to speak, and ask the people who matter, the real Nova Scotians, their constituents, how do you feel about this? Did you send me to Halifax? Did you send me to the Legislature to bring this type of bill forward? I would put to you, Madam Speaker, that their answer would be no. They would say that this is not the way we expected you to do business. We expected you to have an even hand with this.

With Bill No. 37, we need this six-month hoist. We need it to speak to all Nova Scotians because it is, without a doubt, the most far-reaching bill that I've seen in my

16-some years in this Legislature as it relates to taking away the rights of working women and men in this province. I know they will say they support collective bargaining, but when this bill is parsed out and when it comes, eventually, to third reading and we talk clause by clause on that, we would enlighten and tell people across Nova Scotia what's really in this bill.

For more certainty, if we could give Nova Scotians another six months to look at it, they could tell us what's wrong with this bill because they will have a long look at this bill and say no, this is not my Nova Scotia. My Nova Scotia is one of balance. My Nova Scotia is one where we respect the rights of working women and men. My Nova Scotia is one where when someone works hard they're rewarded, they're not punished. It would be about nurses when they asked for an understanding of how their workload is bothering them in so many ways, where their home life is practically non-existent because of the shift and they're just so tired by the end of a long and arduous shift, or group of shifts, because people aren't being replaced.

Why would we not want to take six months and look at that and allow Nova Scotians to see the true facts around this bill? It's not too much to ask, I believe, Madam Speaker, that we could take this bill and bring it from one end of the province to the other and find out what you think of this bill, ask the people in the street as they say. Nova Scotians, I think, who are inherently fair people, will say that this bill isn't fair, that you're right in wanting to hoist this bill and have six months for people to look at this bill and to give it the full hearing that it wants.

The government, itself, would want us to not only not do the hoist, but the government wants us to fast-track this bill. The government would be quite happy if we agreed and got rid of all of the steps that allow the Opposition Parties and, indeed, the reality of our system here, the Westminster system, to allow the fulsome debate. They would like to see this gone through and they would want us not to even spend six hours, let alone six months on this, but I disagree with the government on this.

They did not run on this type of platform so it's fundamentally not right for them to bring this bill in here, only scarcely a month ago bringing a similar type bill that they told Nova Scotians, don't worry about this bill, this bill has a best before date and when the collective agreement expires, it will expire. Some less than 30 days later we have a bill that not only covers more people, but covers them in perpetuity. We have to ask, who is next? Who will the government go after next because they don't like the way they bargained, they don't like what they asked for?

We need six months to really find that out, that Nova Scotians need to go out and be heard. Not having run on this as a platform, we don't know where Nova Scotians are on it. Why wouldn't the government want to do that? Why wouldn't the government want to have a hoist motion approved and we could go and talk to Nova Scotians. I am quite

assured that they would say oh no, this is not the way to go; this is not my Nova Scotia. So that would be an issue.

If you think back to Bill No. 30, the legal issues that spiralled into, those issues are still before us in many ways. Even the son of Bill No. 37 was not very well liked and I don't think the sire is any more liked. We've got to find out what's really behind this bill and we will probably need six months to get to it. What we found out in the short tenure of this government, things aren't exactly as they seem. They do things for various reasons.

We've seen political appointments through Party favouritism already. We've seen those types of issues out there and yet the Premier is not disturbed by that at all. He thinks that's fine, that I can put a friend in a well-paying job, but don't let a health care worker ask for ratios in the workplace that would make their life easier. Say no to that, say no to those health care workers, say no to the community services workers, say no to other health care workers and other people who work for government - no, we are not going to do this, we do not value you. That is what this bill says, make no mistake about it. It says we don't value you. You're an instrument which we can use and then put aside, but that's not the way Nova Scotians see it.

Nova Scotians see this as people who live in their community. They see whether you're a health care worker or a community services worker. You're seen as a friend and a neighbour who can be relied on. You're seen as a person who is known in the community as a great volunteer. You're known in the community as someone who works hard and strives to do things in your community and be a community activist, whether it's with sports and other athletic teams, whether it's with the schools and so on. Yet, the government does not see that through their lens. They see this as a group of Nova Scotians that must be put down, that must be tamped down to the lowest common denominator, that their work isn't valued; that's what Bill No. 37 does.

If this government would be fundamentally more honest about this and go to Nova Scotians and say, here's six months, have a look at this, I would think across this province Nova Scotians would say that's right, this bill does not go there. There's probably another group out there too. Labour relations specialists - we've had issues, both in the public and the private sectors before and no matter what side of the disagreement you're on, at the end of the day, as I've said earlier, what you talk about is fundamental fairness. That's what every table that I ever sat in with doing negotiations is that you (a) respect the other group's or individual's position; and (b) you work very hard to get an agreement that will be advantageous to both parties.

You can use the term "win-win". For years there was a style of bargaining called "Getting To Yes", yet that doesn't seem to be a position of this government. I would submit that they're about getting to no. They have not really shopped this bill around to industrial relations specialists in any earnest way and said, what does this do? How does this bill encapsulate fairness and balance as the Premier would have us believe?

Well, I believe that they would say that this bill does neither - that it's neither fair nor balanced; that we have an issue here that really takes the teeter-totter of collective agreement and just tips it up like this on the side of one side, and it isn't the working women and men at all. It is in the favour of government.

Again, Bill No. 37, if you'd allow these industrial relations specialists to have a look at it and parse it out, they would tell you the same thing. They would say that this is fraught with many dangers because it doesn't work if one party is fundamentally above the other party when it comes to collective bargaining, and that's what this bill does. This bill allows people to be disadvantaged. We could find out if such things as previous wage settlements were taken into consideration. Would that be one of the criteria? Often it's not when it comes to public sector bargaining. Is that in this bill? That's what we need the six months for.

The issues are all around us and yet even with Bill No. 30 being in a state of a challenge of its validity, the government today wants to move forward with a bill that's even more draconian in nature, that does not end with a set of collective agreements. It keeps going on and on. One has to wonder - where is that balance? Every time you do a collective agreement, does the proverbial cap come off and you have to renegotiate what is essential?

These are issues that six months out we could really find out what is behind this bill. We could get labour relations specialists to put a fixed eye on this and say, no, this doesn't work. This is not the type of thing that you want to introduce into the collective bargaining process because it doesn't work.

As my Leader had mentioned earlier, if you place restrictions on people, sometimes they'll just bypass those restrictions. They're forced because they are fundamentally dishonest, they're fundamentally flawed; there is a fundamental issue about where the fairness is and there is no fairness here. One group will have a step up on the other. So six months out, this hoist motion would go a long way in helping all this group in particular, a group of industrial relations specialists who could say, no, this doesn't work.

Madam Speaker, we're here, these early hours of April 1, 2014, debating a bill that just less than 10 hours ago was thought not to be conceivable, but here we are. We're here; we are debating this bill and we are wondering where was this born? Where did this bill come from? Why is it? Is the principle of this bill about essential services or is the principle of this bill about covering up the issues that are really behind collective bargaining that the government does not want to face? The government does not want to face the reality that when they get into some tough bargaining, they are going to need a hammer and they don't want to come back to this House. They want to come in and say, for the next two years we're going to be offering zeroes to our workers, which is worse than a freeze.

People will tell you that by sitting on zeroes you're really regressing in the workplace so I wonder if that is the issue here today. Probably six months would give us a better picture of that landscape of where the government is going as it relates to collective bargaining with all of its employees. Where are we going to be if this issue arises with the members of the teaching profession, the NSTU? Have they been consulted about this bill? Are their services going to be considered essential by the government? They have the right to strike now. Will the government force them into the same type of draconian position and say no, we're going to make so many teachers have to stay in and we'll pick and choose?

That will be another sorry day in this province, Madam Speaker. We don't know but if we had six months to see how the collective bargaining process played out, maybe we could. Maybe we would know if the government is contemplating taking this even further because, as I said, it was about a month ago that government said that's it, we're not taking this any further. It's about doing this one-off. It will expire when the collective agreement expires. Well, one month later we're back at it, and believe it or not, it's a worse bill, and that's only a month so let's wonder what six months will bring us. It's almost the amount of time that this government has been in power so let's be realistic about it. I don't think we're asking for too much to ask for a hoist of six months.

As I mentioned earlier, and I'd like to speak a bit more on this now, we'll need time to see how this reverberates through the private sector, Madam Speaker, because you cannot bring something out of balance and say that it's not going to affect you anywhere else. The reality is it will affect and it will have a dampening down of people in the private sector when it comes to collective bargaining, because as I mentioned earlier, what they will say is, well, the government is allowed to do it, why can't I? These people are essential to the operation of my business and if the government is allowed to do it, why can't I do it? It's a reasonable request in some respects. Why would government be allowed to do it, to pick winners and losers, literally, and someone in the private sector wouldn't? You have to ask yourself, is that right, would I want to think that way? That's another issue.

We've had issues that needed industrial inquiries to straighten out from time to time in this province and from strikes across the board, whether they were with nurses years ago, with another former Liberal Government, whether they were issues revolving around such things as gypsum quarries in this province, the province would find itself trying to be the honest broker, if you will, in those conditions. I would think that not too many people, after seeing a bill such as Bill No. 37, would say that the government is the honest broker in any sense here.

Since they've gone so far over and impugned themselves, not even - I wish it was only in the middle of, but it has really taken sides and really made getting an agreement almost impossible. I say almost, Madam Speaker, because I'm a person who lives by hope and I believe that if this was allowed to take its course we could possibly get a collective agreement done. But who am I? I guess I'm just a wistful dreamer when it comes to labour

relations and this government, because they seem to shoot first and ask questions later, as the old western saying would go; they want confrontation as opposed to reconciliation.

With a hoist motion, we have six months to decide who would be hurt by this legislation. I would say the entire breadth of conducting collective bargaining and industrial relations in this province will be affected by this bill. What they've said is that we're going to be the group - the government itself will look much like the final arbiter of any agreement and who's in and who's out. Again, I have to agree somewhat with the Leader of the Progressive Conservative Party when his assertion is we will have people, as it relates to health care, non-health care professionals telling us who's essential and who's not, the same with the other factors around community services and so on.

Madam Speaker, these are issues that should be brought to light and if we had six months to absorb all of this and saw the heft of this bill - again, as a labour relations bill goes, this is fairly hefty because most times when you bring in a bill like this it may be a page or two and sometimes it's even less than that just because it's fairly specific. Where this one is so broad, there are very many pages in it and it really delves into an area that is really unbeknownst to many people in this province.

If we had time, if we had six months to tell the people of this province and find out from the people of this province what they find lacking in this bill, what they find that doesn't fit right with their sensibilities of fairness in this province, we would do well to have this bill hoisted and come back in six months, after we've had the fulsome discussion, not just in this House but through many houses, many living rooms, many kitchens and so on throughout this province. We could talk to our constituents, each and every one of us.

I drove up here today, actually it was yesterday now, not expecting to see such a draconian bill as this in front of me. Again, I believe like most Nova Scotians, to be polite, that the government was being coy when it was saying during its AGM that we're not really going to talk about any legislation, what we're going to talk about is that the parties are still meeting and that means something.

How come it meant something during their AGM, but didn't mean anything at 5:00 p.m., when it was leaked to the media that there was going to be a bill put forward if there was no agreement? How fair is it that not only, surprising in some ways, most people were thinking if a bill came forward, it would deal with what was in front of them, which would have been the nurses in Capital Health, but now we see a bill here that is much broader in scope, that goes after many, many significant aspects of work life in this province, in the public sector, but yet many of these that are either getting ready to bargain, some of these have collective agreements that haven't yet expired, they haven't given notice, all of these issues are still out there.

We could find out in six months who is ready to bargain and what impact this would have on us, so to speak, like in a group home, who would the employer deem as



essential? We saw here at Capital Health, when the union put forward a percentage in the high 50s, low 60s, a percentage that would stay in and work and yet still that wasn't adequate for the employer. They wanted over 80 per cent, which some people would tell you is probably equal to the daily complement when you factor in vacations, people who are on sick leave and people who are on other types of leave and so on.

This bill is before us today and will be here for a while and we wonder, what is the reality of this bill? Why are we looking at such a draconian bill that affects so many people in government that apparently wasn't necessary during the writ period because we didn't hear the government talk about it? Was the government so blinded that they didn't understand that there was collective bargaining going on and that they would have needed it? Are they that inept that they don't understand how to do collective bargaining, that there's such a way that they can get an agreement?

This bill allows the government and certain employers the easy way out. They just sit back there and let this thing ride its course and then bang, here you go. There's your settlement in the package of who's essential and who's not essential and it's done by a group of individuals who may have no specialty in that workplace, but nonetheless, here we are. The government is willing to say that's fine, that's how labour relations should work.

Madam Speaker, that's not where I come from on labour relations. My idea on labour relations is one of true fairness, that both sides can trust each other across the table and at the end of the day they can come up with a collective agreement that works for all involved, that is truly fair and balanced, not this heavy-handedness of the Premier and the Premier's office who is telling everybody you take it or leave it. This Bill No. 37 is a bad bill today. It will be a bad bill tomorrow, and I'm sure it will be a bad bill in six months but it would give us time to really scope this bill out and find out what the worker thinks, what the backbenchers over there think, what the day in and day out Nova Scotians think, and what the industrial relations specialists think. With that said, Madam Speaker, I take my place and this bill should not be read for another six months, thank you.

MADAM SPEAKER: The honourable member for Queens-Shelburne.

HON. STERLING BELLIVEAU: Tonight I am pleased to talk to the House of Assembly here with my colleagues from across the province on this particular hoist motion, certainly an important topic. I really believe that we should take the time and take a step back and review this. What the hoist motion actually says is take six months to review Bill No. 37. We have an opportunity to talk to workers across Nova Scotia, to health caregivers, and we want to know what their issues are and what we are hearing from our constituents. I think that's the most important part of the job here as we are elected officials representing our constituency and I am going to dwell on that tonight in the time that I have allotted to me.

To me, I think, it is certainly important that we are here representing the people who elected us. I know the theme tonight in my speech is going to be directed towards the backbenches so I hope that they are paying attention and taking notes because certainly this is going to be an exercise in parliamentary procedure, something that you should be aware of.

Some of the questions that need to be addressed are: who has been consulted on this particular bill? How has that process unfolded, particularly to the backbenches, because I know that your Cabinet colleagues may have not involved you in some of the discussions? Was this just dropped on you as a quick introduction to a caucus meeting and were you consulted? Did you have an opportunity to go out and talk to health care workers from Yarmouth to Sydney? Did you talk to any nurses throughout our province? Have you talked to workers in group homes? There are 40,000 people who are directly affected by this particular bill so I think that the six-month hoist bill that we're talking about here is a good reflection on your job, Madam Speaker, what it is about to be a member of this House of Assembly.

I guess they asked the questions to the backbenchers, who is next? Who is next on the radar of this present new government? Is it the teachers across Nova Scotia, are they the ones who are going to be nervous in the next few hours, in the next months as this government moves forward in their mandate? Again, the backbenchers should take six months to talk to their constituency.

It is interesting, Madam Speaker, I see some of the parliamentary rules that were changed and I have been here - if I am fortunate to live for another few months to June I have been here for eight years. I found with interest in this new government approach, in particular Question Period, and it is something that really intrigued me to find in this parliamentary procedure that the backbenchers will ask questions of their own government and I find that of all the things that I have been involved in in parliamentary procedures, I find that the most intriguing because you have Opposition members, Opposition Parties, and in here we have two, that can directly ask questions to the Cabinet.

I think that is a fundamental right and I thank my father and I thank all the veterans across our province and across Canada who gave us that privilege. It is a really important privilege that we can ask direct questions to Cabinet Ministers and hold that government accountable, and here is the punch line, Madam Speaker, this new government, in five months, the backbenchers started asking questions of their own government. Now I pause there because this is an important question - will the backbenchers stand up and ask their Cabinet Ministers tomorrow, the next day, or the day after that, questions on Bill No. 37? I'm willing to make a little wager, and I'm not a betting person. I bet that they will not be - and when I usually make that bet, I say I'll buy you dinner, breakfast, or whatever. I'll buy anyone breakfast who asks their Cabinet colleagues questions about Bill No. 37, after talking to their constituents. I'm willing to bet a dinner that that will not be asked, but

they'll ask for updates on such and such a topic. But I will continue to have that theme that the backbenchers will be silent on this.

This government talks about being boastful - boastful about being open and transparent. You can't have it both ways. You can't stand up and take time from parliamentary procedures, taking time away from the Opposition that sits over here when there's Question Period and we're asking important questions and holding the government accountable, the direction they're going in, when you have an important question here today, which we're dealing with tonight in the wee hours of this new day.

I said to one person here today - not that I'm showing my experience, but I said this evening is going to be one of the most critical times in your political life, what's going on here tonight, dealing with this bill. To believe that we're going to sit and watch the backbenchers ask questions on all other questions and topics, and are not going to talk about one question regarding Bill No. 37 - that's a lesson in democracy. That's a lesson in how the government can mislead people and talk about things that they don't want to hear, the important questions they do not ask. Let's pay attention, and we'll be making notes here to see if the backbenchers ask any questions in the future regarding Bill No. 37.

The government is certainly going to be - the members of the public are going to be asking for time for questions regarding some of the wait times. I know that some of the earlier presenters tonight talked about this particular bill and what happens in the health care business when these things surface. To me, Nova Scotians are asking, what happens when the wait times for a shoulder operation - I know tonight on this floor it was suggested that the average wait time for a shoulder operation is 172 days, on average. The average wait time for new knees or a hip replacement is 206 days.

The Minister of Health and Wellness tonight - and I made note here that it was past his bedtime. He made note of that and I'll leave it for Nova Scotians to reflect on that comment, but I made note of that. It was past his bedtime when we sat here dealing with Bill No. 37, and now we're in the wee hours of a new day dealing with a hoist motion. I think Nova Scotians are up past their bedtime thinking about what they're going to be doing with their child care. How is that child who is looking for an operation and is waiting for wait times, how are they going to answer to them? What's going to happen to that person who needs a knee replacement or a shoulder operation?

To me, this hoist motion takes an opportunity to step back and reflect; talk to those constituencies about these issues that I just raised here over the next six months, how are you going to handle that? How are you going to handle somebody who has been waiting on a wait-list for a knee operation for six months, someone who has a young child who has been waiting for an operation and is going to be bumped off that list? These are all important questions. If the Minister of Health and Wellness is past his bedtime, I think a lot of Nova Scotians are staying up today trying to answer those questions.

To me, this is a logical step forward to let this hoist motion go forward. If we take six months, the backbenchers have an opportunity to visit and talk to their constituents, get involved with that discussion, and I think you'll be doing the constituencies a great service by listening to Nova Scotians and being part of why you were elected and why you were put here.

Madam Speaker, this is about a Party, the new Liberal Party, which only six months ago - certainly this is about misrepresenting the facts. Tonight, or the previous day, we saw the Premier stand here and make reference to the paramedic legislation by the previous government. That is so different, black and white, that it's not funny. The paramedics were basically having zero coverage across Nova Scotia so to me there's a clear black-and-white issue here. Nova Scotians must understand that, and to me the Premier is simply misrepresenting the facts and trying to confuse people.

That is why this Party, the NDP, will stand up for the collective bargaining rights for close to 40,000 Nova Scotians. This Party, the NDP, will not support this Liberal legislation that will take away the collective bargaining rights for close to 40,000 Nova Scotians, and as we saw, the Premier has botched the negotiations with the nurses right from the beginning.

This week the Liberals held their annual general meeting and a member of the public, as we noted during our procedures yesterday, tried to get the Premier's attention. The Premier, at the annual general meeting simply would not give that member of the public the time of day. Well, guess what? The public - and yes, backbenchers, I'm referring to you - will have their opportunity to be heard, and it is called the Law Amendments Committee.

Again, I'm going to make reference to our veterans and my father, who made 11 trips across that big pond out there that we call the Atlantic Ocean, the North Atlantic, and I actually had the privilege of telling this story to Prince Philip. I said at the time that my father was in the Navy in the Second World War and he made 11 trips across that big pond. The English-European community all know how Canadians contributed and basically saved their backsides during World War II. The rights that we have here today and the freedoms that we enjoy were given to us by veterans of that day, and that's the reason they fought for our freedoms and the right to be heard.

The Premier may have chosen to neglect and walk away from that member of the public and not answer her questions at the annual general meeting, but that person will have the opportunity during the Law Amendments Committee. The backbenchers need to understand this valuable lesson because it will give you a good service of your commitment to the voting public to attend the Law Amendments Committee.

I can tell you as an elected official, I asked for the Law Amendments Committee to come to Shelburne during a bill in this House and I can tell you I voted, I stood in this

House and I voted my conscience and I'm asking you as a politician, as an elected official, to do your duty and go to the Law Amendments Committee, listen to the members of the public, which the Premier did not do during the annual general meeting. But my father and many veterans, many men and women across Canada serving in today's war, in the First World War, Second World War, and all the world wars, gave them that privilege. That privilege that we desire and we have so much freedom - they will have the opportunity in the Law Amendments Committee, something that none of you can put down or stop.

Now the Premier made a decision not to listen to that individual and I can assure you that by doing that and having that freedom that we all enjoy, those individuals in Nova Scotia will have that opportunity when the Law Amendments Committee comes to order and Nova Scotians' voices will be heard and they'll be heard on this bill. So, backbenchers, please pay attention because as I said . . .

MADAM SPEAKER: Order, please. I'd like to remind the honourable members to direct their comments directly to the hoist motion, and remind all members to address their comments to the Chair as well.

The honourable member for Queens-Shelburne has the floor.

MR. BELLIVEAU: Thank you very much, Madam Speaker, for your kind remarks and your wisdom tonight in the Chair, and I will comment directly to you and through you to the backbenchers.

I encourage them - through you, Madam Speaker, to the backbenchers - to pay attention to the Law Amendments Committee, be part of that and understand that there is an opportunity here to vote your conscience.

As I said, the Law Amendments Committee came to Shelburne County, the first time in history and I voted my conscience because I listened to the public who elected me. Through you, Madam Speaker, to the backbenchers, I'm telling them through you to understand that process and to pay attention to the members of the public when the Law Amendments Committee sits.

Madam Speaker, again through you to the backbenchers and their colleagues - because I know they're all paying attention here now - there is a valuable lesson again to the backbenchers, I want them to be careful. I want them to be careful of how they treat people on their way up because this was a valuable lesson that was taught to me and I want the backbenchers, through you, to understand this lesson because those people, you're going to meet the same people on your way down. That's an important question; it's an important lesson also.

So the next six months, Madam Speaker, through you again to the backbenchers, they should take the next six months to reflect on what they hear in the Law Amendments

Committee, they should listen to their constituents, they should hold meetings in town halls, they should have social gatherings, they should go on the barbecue circuit, they should be consulting, and then you can come back. It will be interesting to note that in the next six months I'm - again my little wager of a free dinner is still there - one question from the backbenchers, are they going to ask their Cabinet Ministers about Bill No. 37? So there's a little wager for you.

Again, Madam Speaker, through you, we talked about going to the town halls, the social gatherings, and the barbecue circuits, but they should also read the emails because I'm sure, before this particular exercise is over, we're going to have an opportunity to read emails and some other correspondence coming in from the constituencies and those that the backbenchers are representing. We're going to have the opportunity to read these and we're going to have an opportunity to read the concerns of the people of Nova Scotia who were shut out of this process of this consultation, and their voices are going to be heard because this is why we have such a great parliamentary system that I talked about earlier, that the wars and the people who fought for that and continue to fight for that today as we speak, they gave us the freedom that a lot of people in the world think very highly of.

I'm not a world traveller, but when I go outside of Canada, when they see that little maple leaf on your lapel, people literally come up and shake your hand because they recognize where you're from and what you stand for and that stands for a lot, that maple leaf, it stands for the right to have freedom of speech. That freedom of speech is going to be heard across Nova Scotia in the next few hours and the next few days on this bill, and particularly this hoist motion.

It's interesting, just a few days ago I was sitting in my home in southwest Nova Scotia and I was confronted by a blizzard, a snowstorm, we probably had one of the most severe snowstorms in the last decade. I was debating whether I could get out on the road and travel to Halifax because there were some important meetings that I wanted to attend, particularly the lobster summit. I went on the website and got all the updates on the roads and looked at the Pubnico webcam, I looked at Greenwich Village, I looked at Bridgewater, and literally there wasn't much to look at because it was just a white screen. As anytime, you consult with your family and it was obvious the road conditions were treacherous. At that time the RCMP came on and said stay in your homes, Joe Public, across Nova Scotia and it was obvious that that was the right thing to do. Where I'm going, I'm going to tie this in to the bill.

In the very same news article, the president of the Nova Scotia Jeep Club came on and said that his group just kicked into their operation, the Nova Scotia Jeep Club - and you might say, the member for Queens-Shelburne, where are you going with this, but this is important, this is an important lesson. This jeep group has the all-terrain vehicles that can basically go off-road and they have some heavy-duty gear that can go through a snowstorm and basically if they want to go from point A to point B, they can get there. They kind of, I would say, delight in the fact that they are giving a service to Nova Scotians.

Now it's interesting that they supply a service to Nova Scotians and who do you choose? I'm sure that they do not choose politicians and you'll say, well, maybe it's the police officers, they need to get to work; it's not the police officers. Maybe it's some rich executive who needs to get to their job, and we've seen some of their pay salaries in the news articles over the last week, and it was none of them. It was none of the above. Do you know who this Jeep Club targeted in blizzard conditions - and they do this when all the transportation is hauled off the road, the taxis, the bus service, all those were hauled off the road, do you know who that jeep . . .

MADAM SPEAKER: Order, please. I'd like to remind the member again to please direct your comments to the hoist amendment.

MR. BELLIVEAU: Madam Speaker, thank you for your wise comments and, again, I'll direct my comments through you about the Jeep Club, and I want to make sure that you understand this point that . . .

MADAM SPEAKER: Order, please. Excuse me once again, I'd like to remind you to direct your comments to the hoist motion that we're debating now.

The honourable member for Queens-Shelburne has the floor.

MR. BELLIVEAU: Thank you very much, Madam Speaker, and again I told you in ample time that I was getting to the point about this very important Jeep Club, the service that they do, and I wanted to build up from what they excluded from their work. Now the Jeep Club you may ask - the only time that they go out and they actually kick into operation is when there is inclement weather, when all the transportation modes are off the highways and basically you have the RCMP saying, Joe Public, Nova Scotians, stay off the highways, so this Jeep Club will kick into gear.

These vehicles are all-terrain. They can get through the snow and they don't take the police officers, they don't take politicians; they don't take the 1 per cent of the highest income level in the world. Do you know who they take and who they focus on? This is tied to Bill No. 37. This is tied to the hoist motion because they take one type of person and it's the home caregivers, the health caregivers of Nova Scotia. That's who they take and that's who they service, so that's how important they are.

Now I think that is really important to this particular hoist motion because of all the other groups that they could choose, they have made a priority of their group by making sure that these health caregivers get to work and get to their jobs, through all kinds of inclement weather. I would say that they are doing a service for Nova Scotians and they should be recognized for that, so here is a good opportunity to simply do that and to say thank you.

Maybe it's time for the backbenchers to go out and this hoist motion will give them the six months to ask those groups, through you, Madam Speaker, to the backbenchers, ask the jeep groups what they think of this legislation because they are actually out there doing that service. They want those people to get to work, so it's a very interesting point.

I know, Madam Speaker, that you want me to stay on topic here and that's why I'm going to recap some of the things I said earlier because, to me, this is what the government needs to be doing, what they want to say. What are they going to say to Nova Scotians who are faced with a shoulder operation, who are waiting 172 days on average for shoulder operations, or for Nova Scotians who are waiting for knee operations and for knee replacements, on an average of 206 days?

Earlier tonight the Minister of Health and Wellness said he was up past his bedtime. Well, I can assure you that there are a lot of Nova Scotians up past their bedtime tonight asking the same questions: how is their child going to have that particular operation or get that health care that they deserve, and how is that child going to be affected by the IWK? These are all important questions and we'll have an opportunity, if we go with this hoist motion and take six months so that Cabinet, the backbenchers - Madam Speaker, through you - can consult with Nova Scotians, they can hear what Nova Scotians have to say on this particular bill and have an opportunity.

As we heard earlier, this new government talks about boasting, about being open and transparent. What is more open than taking six months to talk about a bill and to do just that? To me that is a very clear opportunity.

We talked about who has been consulted. I've asked that question very directly. Have the home care workers across Nova Scotia? Have the nurses? Have any nurses from Yarmouth to Sydney been consulted? Have workers in group homes been consulted? Again, I ask the question, will the backbenchers stand up and ask some of these important questions during Question Period? I think not. I'm not a betting man, but I'll pay for the dinner for the individual who asks that question because I know they're not going to challenge their own Cabinet members.

A good question is, who is next? Are the teachers across Nova Scotia nervous tonight because they're the targets of this government and how they deal with such groups as this? Are they next?

Again, this Party will stand up for collective bargaining and the rights of close to 40,000 Nova Scotians. This Party, the NDP, will not support the Liberal legislation that will take away our collective bargaining rights for close to 40,000 Nova Scotians. The Premier has botched the negotiations on this nursing bill right from the beginning and this is why we need six months. We need six months to go and reflect and talk with our constituencies.



The backbenchers have to learn the parliamentary procedures here. This is crucial. When this particular bill gets to the Law Amendments Committee, the public will have an opportunity to have their say. I went into great lengths to talk about our freedoms that we enjoy - the men and women who did the supreme sacrifices, who laid down their lives to give us an opportunity and the rights that we enjoy as Canadians. I can assure you that Canadians are recognized around the world as one of the best democracies to live in, and we are going to trample on those rights tonight? I don't think so.

I know that Nova Scotians are going to be speaking at the Law Amendments Committee and the backbenchers - through you, Madam Speaker - need to pay attention because this is crucial in this job. You can say whatever you want, but you as a member will be held accountable as a member of this House of Assembly. Whether you're in the coffee shop, whether you're at the skating rink, or whether you're at a church service or a social, you will be held accountable for your actions in this House - fair enough. To me, that's a responsibility of this job, and to me, it's also the responsibility of voting your conscience and taking the time to talk with your constituents and do the right thing.

To me, it's an interesting point because when you see the Premier snub - when I heard that, I simply refused to accept that a Premier would walk away from a Nova Scotian and not address their issues. But in our parliamentary procedure, you cannot walk away from the public because the checks and balances are there to protect the voices of Canadians, and one of those measures is called the Law Amendments Committee. This government will hear from Nova Scotians very shortly.

Madam Speaker, through you to the Cabinet Ministers, and especially through you to the backbenchers: pay attention. Please pay attention to Nova Scotians as they move to the Law Amendments Committee to have their voices heard, and vote your conscience.

With those few remarks, I'm just going to say this last comment here. It is a valuable lesson, Madam Speaker, so be careful how you treat people on your way up because you're going to meet the same people on your way down. Thank you for the time tonight, Madam Speaker, thank you.

**MADAM SPEAKER:** The honourable member for Sackville-Cobequid.

**HON. DAVID WILSON:** Often as I stand in the Legislature, I indicate how much of an honour and a privilege it is but it's not the case tonight, Madam Speaker. I've had the opportunity to represent Sackville-Cobequid for almost 11 years. I've been in all positions in this Legislature, which I've mentioned on a number of occasions, but I have to say this is the first time in almost 11 years that I'm standing on my feet at 4:00 a.m. in the morning, talking on a piece of legislation. First time in almost 11 years, over a decade in this Legislature, and I've never had to speak, or debate, or talk on a piece of legislation or on a hoist that I am talking on right now.

A hoist motion is used in Canadian legislative bodies to cause a bill not to be read at that time and hence our motion tonight, from our Leader, is that this legislation, Bill No. 37, be brought forward in six months. The reason we made that motion, Madam Speaker - and we know how the process will work. We know that our hoist motion will be voted down in maybe a couple of hours. We'll go to the next procedure of the bill, going on to second reading. Eventually there will be a vote to move it to Law Amendments Committee that will be won by the government; they have majority. Then we'll see Law Amendments Committee, and then of course through Committee of the Whole House and third reading.

This piece of legislation will pass. It's not going to pass tonight, Madam Speaker, but it will pass and that is why we brought forward the hoist motion because what it does is it allows for not only the Cabinet Ministers but those members of the Liberal Party who aren't in the Executive Council to hopefully have a second thought about the impact of this legislation, Bill No. 37. The reason for us to bring forward this motion to allow some time to go by before a final vote on this legislation is to try to assess what that impact will be.

This whole process started, of course, with about 2,300 nurses negotiating, or trying to negotiate, a deal for the nurses of Capital Health. As we've seen the legislation come forward today, Madam Speaker, it's a wide-ranging piece of legislation that will capture more than just the 2,300 nurses who are negotiating right now, or trying to negotiate, and they were still meeting earlier, I guess yesterday evening, when Bill No. 37 was introduced.

It is important as legislators, every time a piece of legislation is introduced, no matter what side of the House you are on, if you are in the Opposition, the Official Opposition, or governing Party, that you know the impact of that legislation. What are the ramifications of that piece of legislation being proclaimed, being passed in this Chamber? I don't believe, and we don't believe as a Party, that the government knows and fully understands the impact of this legislation on workers in the Province of Nova Scotia.

In Bill No. 37 there are mentioned a number of different workers that this legislation will affect, workers that have already agreed to a settlement, that aren't anywhere near a decision of going on strike or even taking job action. That's the reason, I think, we're in the position we're in today and why we feel and are compelled to stand up at 4:10 a.m. to talk about this piece of legislation and try to move a motion to allow some time to go by so that we can really know what impact this legislation will have.

Nova Scotians found out at about 7:15 p.m. last night that this legislation will come forward. The Law Amendments Committee is being called for 8:30 a.m. - in about four and a half hours. Many Nova Scotians won't even really know about this legislation. I know that The Chronicle Herald just came out. One of my colleagues just got it. There's some information on that, but most Nova Scotians won't know that this legislation has come forward yet until the word gets out.

I know the union members who are represented by NSGEU - but many locals and many unions are starting to get that message out, but it's going to be limited. That's why we feel it's important that we have some time, through this motion, to allow Nova Scotians to find out exactly what this legislation has in it and what impact it will have on them.

As I said, we initially started this conversation about a week ago about the impasse that we saw with the nurses at Capital Health, about 2,300 nurses, but this legislation is going to affect far more than those 2,300 - tens of thousands of workers. That's not something we should be passing through this Chamber quickly or bypassing the rules that are set out in our parliamentary system here in Nova Scotia.

We should take the time, and it's our role - and I've said this in other debates - I take my role very seriously, no matter what position in the Legislature I'm standing in. As a member of the Opposition, it's my role to try to make sure Nova Scotians know the impact that's going to take place when a piece of legislation comes forward, just like when I was in government, making sure Nova Scotians knew what the impact was when we changed legislation. That's why I think we need to have some more time.

That's all we're asking through this hoist. We're going to ask for members of this Legislature to vote. We'll have a vote on this hoist to allow this to have some time between now and when this piece of legislation, Bill No. 37, continues on through the process here in this Chamber.

We think six months is enough time so that people can truly understand it. It will allow the government members - the Premier, the Minister of Health and Wellness, the Minister of Labour and Advanced Education - to talk to Nova Scotians and tell them exactly what they envision in this piece of legislation, why they decided to add some 36,000 more workers to deal with an issue that's dealing with about 2,300 people, so they can talk to Nova Scotians and get what they think of this legislation and what impact it may have on those Nova Scotians.

We are one of the few Legislatures in the country that allows and has the process of the Law Amendments Committee, but we know how quickly that process can happen. As I said, the bill was introduced about 7:30 p.m. this evening. The Law Amendments Committee will be tomorrow morning at 8:30 a.m. Many people cannot get here in time to have their say on a piece of legislation. I know that there will be many health care providers who have already contacted Legislative Counsel to get their names on the list. I don't know what the numbers are, but I'm sure we may exceed the numbers that we've seen in Bill No. 30, the last time we had a session around home care support workers.

I don't believe the process we have will allow enough of those Nova Scotians, who will be impacted by this legislation, time to get here, get their name on a list and come before the Law Amendments Committee to have their say. That's why we are asking for support of a hoist so that we have some time, so that Nova Scotians can really find out from

the Liberal Government what exactly they want to have come out of Bill No. 37. It's interesting that we've heard many comments over the last week or two and the Premier continues to say, and I think he said it in a few of the answers he gave this morning during Question Period, about this being fair and balanced. It was a fair and balanced piece of legislation. Well, I disagree and I think our Party disagrees, I think people who have been around the Legislature the last number of hours disagree, and I think the unions and the workers disagree; it is not fair and balanced.

Here we had a bargaining unit willing to sit down at the table, and they were there last evening, not even finished bargaining, Madam Speaker, when government decided to bring in this piece of legislation. But the more interesting thing is if this was such an urgent piece of legislation then why didn't we see it last week, why wasn't it introduced on Thursday when we were called back to the Chamber? Some have suggested it was because of the Liberal AGM on the weekend, they didn't want to disrupt that. Unfortunately, I think the unions realized that that was going on and there were a number of them that attended Saturday morning. But if it was such a concern why wasn't it introduced on Thursday of last week? That's why I think it's important that we take the time, we look at this legislation, we allow Nova Scotians to have the full opportunity to have their say, and that's why I think not allowing this to go through within a couple of hours and for us asking now for a six-month delay, that we can allow that to happen and that process to go through.

This piece of legislation, Madam Speaker, I think will have a huge impact on negotiations into the future. As I think our House Leader indicated in his comments, Bill No. 30 was a little different; when the contracted agreement has come to fruition and it's no longer in place, Bill No. 30 will just dissolve, it will go away. This piece of legislation will continue to go on, and as I said earlier it's not just for the nurses that are currently negotiating, it is for a wide range of workers from child care services, nursing services, home care support, paramedics, dispatchers.

Many of these groups have agreements in place now and are nowhere near, as I said nowhere near, taking job action. But what this piece of legislation has done, I think, and will do is potentially elevate the possibility of job action from organizations, or unions, or locals that were nowhere near making a decision on what their next step would be to try to get a fair collective negotiation and agreement for their members, either a local or for the union as a whole.

We see this bill come forward and it wasn't just for nursing, it includes Community Services, I think I read Mi'kmaq Services, child and family services. A wide range of workers are going to be affected by this and I have to tell you I don't think many of them will have the opportunity to get here by tomorrow morning at 8:30 a.m., that's why we feel and we believe that we need some time between the process of approving a bill and allowing Nova Scotians to have their say.

There are a lot of questions not only from us on both Opposition Parties, but there are a lot of questions from Nova Scotians about this legislation, and there is not enough time between now and tomorrow morning, or Wednesday, or Thursday, or Friday, whenever this bill passes, I believe, to really ensure that Nova Scotians first understand the legislation that the Liberal Government is bringing forward, the impact it will have on individuals, and this is not just about health care workers, it's about workers in general.

I'm here in this Legislature as an MLA because of coming through a union, coming through job action, going on strike in the 1990s, and nobody - nobody - I believe, really wants to go on strike. I don't think there is one nurse of those 2,300 nurses who really wants to go on strike, but often it is a last resort when there is no other option. When the employer and the union haven't been able to negotiate any further, it's an opportunity for the unions, for those workers, to have another kind of leverage on their employer or on the government.

By ramming this through, I think it takes away many of the rights that unionized workers have fought extremely hard for, for decades - not just in the last couple of years, but way before I got involved in political life, way before I got involved in the union as a paramedic, way before my time. Unions have worked extremely hard to get to the point of today and the rights that are offered and are there for workers around the province, not only here in Nova Scotia, across the country and around the world.

This piece of legislation really just destroys decades and decades of work, of people who have stories of working conditions that they needed to improve. That's why they formed a union and fought for rights. I think this piece of legislation, Bill No. 37, takes all that away and it really brings us back decades. It's going to be extremely hard for individual workers to come forward when they feel that their rights aren't being met or aren't being respected. As I said, this process is quite quick. To pass a bill, it is quite quick and, as our Leader indicated, we don't have a Senate here in Nova Scotia. We don't support a Senate, but we don't have one. They got rid of it more than 50 years ago, I think, or quite some time ago.

The federal government has that opportunity, when a piece of legislation is brought forward, to have it go to the Senate. They can have committees and hearings on a piece of legislation that will affect - especially when they affect a lot of Canadians. We don't have that opportunity here in Nova Scotia.

Our decision to bring forward this hoist is to allow for a similar process to happen. I think they say the Senate is a sober second thought of government, but we don't have that in Nova Scotia. What we hope is that enough Nova Scotians hear about the change or the new legislation, that they can register as a witness and come forward to the Law Amendments Committee, but as I said, we only have a few hours between when Bill No. 37 was introduced and the Law Amendments Committee is going to start.

So having that sober second thought allows for more Nova Scotians to understand what this piece of legislation is all about, but I don't believe for one minute that the current government wants that to happen. They are behind eight ball on this. The union has indicated that they gave their 48-hour strike notice yesterday, but they were still willing to talk and still negotiate.

Everything I've learned through my career in health care, through my involvement with the union, as Minister of Health and Wellness, as MLA is that the time when some of the best negotiations happen is at the eleventh hour, right at the end, right at that tipping point because, as I said earlier, most people don't want to go on strike. They don't want to see their wage reduced to get strike pay. It comes nowhere near - no matter how big the union is - what your regular pay is. Nobody wins when a strike happens. You lose wages, the morale of the workers goes way down. It takes years to get back any relationship, or good relationship that you had between the employer and the employees. So the best negotiation is right at the end. Well the Liberal Government didn't allow that to happen.

Actually, last week and the week before when the Premier came out and really threatened nurses around taking them to their college to review their licence if they did any job action. I've never seen that in my time here as an MLA or even before that - having the Premier come out and make those types of comments. Even if the Premier believed in the comments, he shouldn't have said them publicly. He should have allowed the process to take place, allowed collective bargaining to go to the eleventh hour to try to get a deal. The union indicated yesterday that they were willing to move from what their last position was. From what I've heard since the employer wasn't moving anywhere, and I understand why - because I'm sure they were aware of Bill No. 37 being introduced at 7:15 p.m. yesterday.

We're limited, Madam Speaker, our caucus has seven members so we're limited on what we can do. As I said earlier, there's a majority government and this piece of legislation is going to pass. But we feel compelled to make sure that not only the union members but Nova Scotians, the workers of this province, recognize that there's an impact on them and their lives with this legislation going through the process that we have here in the Legislature. That's why we feel and we believe that we should put the brakes on it, and that's why we've asked for six months to have a good review, a good discussion.

The speaker right before me, Madam Speaker, talked about the members of the Liberal Government, and there are a lot of new members sitting over there. It's interesting that as you ramped up to being elected, the engagement you had was extremely important and it was one of the reasons why many of them were successful: they were able to engage with their constituents, they were able to talk to them and get a message to them. Well, I have to say if all the new members went back out on the street and went around and engaged with their constituents, they're going to run into a lot of health care workers.

AN HON. MEMBER: The barbecue circuit.

MR. DAVID WILSON: As was said, do the barbecue circuit. They're going to run into a lot of those constituents that they talked to in the election, and what the MLAs and the new members of the government caucus need to know - and for that matter, the more seasoned MLAs, the front bench, the Cabinet Ministers that have been here for a number of years - they need to realize that they're going to have to face those same people. They're going to have to face those health care workers and explain why they voted and brought forward legislation that really is not fair and it's not balanced and it really has an impact on their lives.

Nobody wants a strike, we know that, and there's polling being done at all times during political life, Madam Speaker. When you talk to Nova Scotians the one thing they're mostly concerned about is health care. Yes, their jobs, the economy, the environment, EI - there's a whole slew of them. But every single Nova Scotian, when you talk to them, usually their number one concern is health care - making sure it's there and making sure people are treated fairly. When you talk about strikes, I think it's about a 50-50 split, about people who feel that health care workers shouldn't strike and that health care workers should be allowed to exercise those rights in extreme circumstances.

As was said earlier, I think in one of the questions I asked, I think in the last 25 years we had three hospital strikes. That's very few, because the process and the collective bargaining system that we have in place here in Nova Scotia, which unions have fought for many, many years to have, has worked. Listen, we came off four years in government and we came close a number of times on strikes, but we allowed the process to happen and a majority of the time, at the eleventh hour, two sides were able to come to an agreement and avert any job action or strike.

With Bill No. 37, Madam Speaker, I feel that you're really poking at the unions, you're poking at the workers that I think will maybe now do things that they probably wouldn't have done if collective bargaining was left to try to work itself out. That's my fear, that's why we asked to have this delay so we could really find out what the impact of this will be. We know that there are jurisdictions across the country that have essential services legislation and when they see a strike in those jurisdictions - and you don't have to take my word for it, there are reports after reports, there are papers on it - it actually creates a longer strike time because there is a portion of those workers who are going to be on the job. As we said the nurses with Capital Health were willing to make sure that the ERs were staffed, the cancer care was staffed, hemodialysis was staffed, veterans' services were staffed, and transplants were staffed.

Those emergency services will be there for Nova Scotians but when you have mandated essential services in those jurisdictions across the country, we've seen that strikes last a lot longer, have a greater impact on the services that are provided to their residents and it doesn't work. I think it was the Premier himself who I quoted earlier today, or yesterday, that he talked about the three hospital strikes in 25 years. So what's difficult to understand is how the Liberal Party got from Opposition to respecting collective

bargaining and the process that we have here in Nova Scotia that has been worked upon and improved for decades, government after government, to the point where that is all thrown out the window and they either don't believe it or they were misguided when they were in Opposition.

With that quick turnaround from what the Premier said during the election - and I think it was the Leader of the Progressive Conservative Party who mentioned the comments of the Premier about how they wouldn't do anything to unbalance collective bargaining in the province. Well, we are six months in and he has done it twice already; through you, Madam Speaker, the Premier has done it twice already.

In our mind, with such a change in the attitude and the position of the Liberal Party, I think we need to have some clarification from them. Nova Scotians would want clarification from this Liberal Government on what their stance is with collective bargaining. What better way of doing that than to support our motion, delay this for six months. Government can go to Nova Scotians, tell them exactly what they feel about collective bargaining and where it should be going into the future or under the four years of their mandate, and then we'll continue on with this process. I don't think they'll do that but it's a suggestion.

We've heard different responses from Question Period, for example, on how they've tried to address this over the last little while, very vague. I know we've asked the Minister of Health and Wellness a number of times. We've asked the Premier what they feel is the right number of nurses, for example, in the province and the Premier keeps saying how the Minister of Health and Wellness is travelling around the province. I know he is because I followed just behind him in a number of those health authorities, Madam Speaker, because I did the same thing as Minister of Health and Wellness. You have to be out there and I think it's good that the Minister of Health and Wellness is doing that, but why isn't he doing it with this piece of legislation? If he is going around to all the health authorities because they are going to merge it into one, then why isn't he shopping around Bill No. 37?

I don't think he has. I haven't heard from another health care provider or those administrators or those people who the Minister of Health and Wellness has talked to over the number of months. I haven't heard any of them talk about Bill No. 37 and what their intentions are around collective bargaining. So let's have a six-month break; let's pass this hoist so that the minister can continue on, and I'll follow behind him to make sure I'm hearing what he's hearing on what those health care workers, what those health authorities, those people involved in delivering front-line health care, have to say about a piece of legislation like Bill No. 37. I'm more than happy to allow him to do that.

I don't think they will support our motion but it's a good idea. The Premier is saying, and has answered in the past, that that's what the response is when he has been asked about nurse ratio and the number of nurses that the Minister of Health and Wellness



is discussing on what the complement of health care providers should be in a certain area that will within a year now be all amalgamated into one super board, so maybe we should allow some time for the Minister of Health and Wellness to discuss with us on the floor of the Legislature, discuss in meetings with MLAs what each area of the province is saying around what impact and what really should be the complement of health care providers.

We've said this before, and I think Nova Scotians know, and as a former paramedic I know - and I might take some criticism from my paramedic colleagues - but Nova Scotians know that nurses are the backbone of health care. They're the ones who keep everybody on the right track when it comes to providing care to somebody. They're in every kind of setting across this province, from emergency rooms to clinics to in someone's home when they go and provide home care, for example.

What we need to understand throughout this whole process is exactly what they're asking for; what impact they see changes in administration policies that are affecting their lives every day. I think we need to take the time over the next six months to find out exactly what those conditions are; what the environment is for not only - well, now I have to say for a number of health care workers and people with Community Services, but for the last month we were talking about nurses and we started to see the commercials from the union about nurses speaking up; nurses being interviewed on the news about what their work environment is. I have to say, it's alarming to see the current government just kind of ignore what they're saying.

Patient ratio - that's a huge discussion. I think the union and the nurses tried their best to get across to Nova Scotians their concern there, but I think that discussion needs to take some time to try to really figure out exactly what a standard ratio should be. If we had some time we could find that out, but one of the things I continue to hear is that when a nurse is working, their shift is not being filled if their colleague calls in sick.

I don't know how many of the members across the way have worked in the health care sector. I try to go through each member knowing a bit about their background and I don't believe - I could be wrong - there is anybody who has directly worked in the health care system. That's why I'm asking for them to take the time to find out what it's like to work a 12-hour shift as a health care provider - what they go through on a day-to-day basis and the environment they work in. Try to do a 12-hour shift - think about it - and maybe not getting your break, or knowing if you take your break they're even more short-staffed because they didn't fill the shift when someone called in sick.

As a health care worker I knew - I rarely ever called in sick because I knew the pressure it put on either my partner at the time or the crew that I was supposed to relieve. If they couldn't find someone to work, someone had to stay. I've witnessed it first-hand, nurses who are doing double shifts because someone called in sick. I know that person who is sick is calling in for good reason. That's what I think we need this time for - so that

members across the way can engage those health care providers; find out what it's like to work a 12-hour shift or longer as a health care provider.

Just imagine - you go to work and what you work in is an environment that most people would run away from. You have sick and dying patients in front of you, one after the other, and we have a society that's getting sicker. We have an older population that's getting sicker, and their acuity levels when they enter the hospitals and the ERs and the clinics are through the roof. I hear it, I know I've been away from the front line for a number of years but I still engage with colleagues, with nurses, with doctors, with RTs, with paramedics, who tell me what the environment is, and I have to say, it hasn't improved in the 10, almost 11 years that I've been gone, it's gotten worse to the point where I don't know if I could go back to that.

I don't know if I could put myself back into that kind of environment where you're dealing with sick and ill people, people who are bleeding out in front of you, Madam Speaker, people who take their last breath, who have cardiac arrests and pass away in front of you, and what do those health care providers do? They go to the next patient in the next bed and sometimes they have to do it all over again. That's what they do in a 12-hour shift as a health care provider. That's what they see day in and day out: people who are sick, who die. Most people don't want to see a dead person or someone who has passed on. These health care providers see countless people in bad condition. That's why I think we need the time to make sure that they fully understand.

We all bring our background to the floor of this Legislature and if you don't have a background in health, then I hope you take the time to find out what it's like, the environment they work in, and what they go through. I know I've said a number of times through my career as an MLA, I tell a lot of stories of the interactions I've had, and being a paramedic is not an easy job. Similar to nurses, you deal with sick, dying, and injured. The odd time you have a good event, you have someone who went into cardiac arrest and you're able to intubate them and you're able to shock them and then all of a sudden they come back.

I have to tell you, Madam Speaker, in almost the eight or nine years that I was a paramedic I had two people who came back from a heart attack, and I have to say that I probably had dozens and dozens who didn't. So those highs and those periods where you feel really good because you've really made a good difference are few and far between. Delivering a baby for example, I've done one. It was pretty nerve-racking but it was a great experience. But I have to tell you I had more deceased children that I can still remember the look on their faces when they were lying there.

I told the story before about a nurse - that's why I think it's important that we take the time to hear from these people, from these men and women who dedicate their lives to providing health care to Nova Scotians. I remember doing a call for a young boy in Mount Uniacke, where we picked him up and he wasn't breathing - he had a seizure. We worked

on him all the way to the IWK, got to the IWK, and we pronounced him dead. I came back about 20 minutes later to get our gear that was left there and there was a nurse at the IWK who was sitting holding the hand of this deceased boy because the parents hadn't been there yet. That's the environment nurses work in, for example.

Can you imagine if that nurse worked in the environment and worked in the situation that we're hearing about now where someone had called in sick and they can't get a half-hour or hour break for their lunch? Can you imagine what that must feel like being a health care provider and not being able to get a break after seeing or going through a traumatic call, for example, like that?

Those are the stories we need to hear about. Those are the situations that I think some of the nurses were trying to get across to the government, and it's very hard to do that in a 10-second clip on a TV that's being paid for by the union but they feel that's the only way of getting that message out. With the short period that we have between this bill, if we allowed it just to go through second reading to the Law Amendments Committee, we won't get those nurses who have had those experiences in Law Amendments Committee to hopefully get through to government the reason why they're pushing for improvements in their working conditions.

We need to take the time, Madam Speaker, and I hope that each government member - I don't care if it's the Executive Council or if it's those who are not in Executive Council because I've always hated the backbench term. I was a backbencher. I didn't like that term that much. (Interruption) I know that, everybody has their own way of describing it. You are all members, it is a word. I guess it's the terminology we use, backbenchers. Myself, personally, I don't like it.

AN HON. MEMBER: Rookies.

MR. WILSON: I think rookies is a better term than backbenchers. I think it's important that all members in the government caucus take the opportunity, especially if they have had no experience with health care delivery as their profession or someone in their family, that they take the time to try to educate themselves. That's why we're here. We are trying to improve the condition of our province through legislation.

Good public policy is what I think every government aims for. When we see a bill like Bill No. 37, I don't really see that truly happening. When we were initially starting off with 2,300 nurses potentially going on strike, they were willing to continue to stay at the table, to a piece of legislation that has a huge catchment of - I mean when I read through it, Madam Speaker, I couldn't believe that we had as many people or organizations or groups of workers in this piece of legislation. There is even the ambulance service and Emergency Health Services, anybody who falls under that bill; they've just gotten an arbitrated decision. They are years away from taking any job action in this province. Why are they in here? Many of the other ones, it pertains to them also.

We've just gone through a number of negotiations of locals that all approved - some approved the package that was before them. We currently are dealing with the NSGEU and the leadership of the NSGEU, who have heard from their memberships, Madam Speaker, about the conditions their workers are working in. They needed to take a stance. They needed to try to improve the conditions their workers are working under. That's all they are doing.

I don't believe for one minute that any of the nurses want to go on strike. Yes, we'll see them around the Legislature, probably tomorrow morning, in a few hours, with their signs. I don't know what their intentions are, Madam Speaker, if they are going to go on strike or not. That's why I think the importance of this piece of legislation - or our hoist, sorry, not the importance of this piece of legislation, the importance of the hoist - to have this piece of legislation put off for six months will allow the government, in my mind, to rethink what they're doing, really look at whether they want to go down this road. Allowing this to be held off for six months will allow them - maybe the member for Richmond will say no, I think we need to change our mind. Maybe the member for Bedford will say no, we made a mistake.

I won't criticize any of the members over there who decide that maybe the government should hold off on this legislation; maybe we should rethink it, maybe the government should rethink it, maybe they should bring in something different. Maybe they should try negotiating again. Maybe they should ask the employer to go back to the table.

We're going to hear the chants tomorrow - negotiate, don't legislate. They've said that often. I think I said it in 1998 or 1999 when I walked around here. I think if we had that time for government members, both Executive Council and the rookies, to really think about whether this is the road forward. I have to tell you, through experience, four years go by very quickly, and government's going to be held accountable on this. They are going to be asked, those new MLAs - including yourself, Madam Speaker - will be asked by somebody. I'm sure there is a health care worker in your riding, in each and every single one of the members from across the way's riding. They're going to ask them: why did you do this? And you're going to have to - the members are going to have to have a good reason why the government decided to go that way, why they thought it was the only way to move forward.

Try to explain to a health care worker this legislation will improve their lives, it will improve their working conditions, it will be better for them as a unionized worker if this legislation passes and is proclaimed in a month's time after the budget and after the Lieutenant Governor comes in and gives his okay to the bills that are being passed. You're going to have to have an answer, and if you don't, it's going to be difficult in four years when you knock on their door again and ask for their support.

That's why in every case, no matter if you're on the Opposition benches or in government benches, Madam Speaker, anytime you bring legislation in, you need to think

about that. You need to be able to say I can stand up as an MLA in my community, on the doorstep, in front of the person who is going to be impacted and say why you did it, that you supported it, it was a good piece of legislation, and it made things better in the Province of Nova Scotia.

I don't think we have the time - I don't think the government members have the time between now and another three and half hours, when potentially that's when Law Amendments will start, to come up with some of those reasons. I don't think, I don't believe that the government has fully thought this through. If they did, why didn't they bring legislation like this in back when Bill No. 30 was introduced? So what this is telling me, Madam Speaker, is here they had intentions to try to avert that strike of home care support workers, but they realized, okay well this is just a one-off. Once things settle down, the legislation will be not there, won't be forever and ever.

But yet, less than 30 days later, we have a piece of legislation that - listen, I'm surprised, Madam Speaker. I think that's why we brought the hoist forward, to give some time - because I'm surprised that the Liberal Government has brought this forward. This piece of legislation is, in my mind, worse than what the Progressive Conservatives would ever think about bringing in. They brought Bill No. 68; Bill No. 68 holds nothing on this bill, Madam Speaker. It has such a widely cast net that Bill No. 68 was just nothing. This, to me, looks like a very conservative piece of legislation. And as our Leader indicated in her remarks, the one thing we know about the Leader of the Official Opposition, the Progressive Conservatives, is that they continually bring legislation in that would not allow strikes. We know that, we understand that, I think it might even be in some of their policies that they have at convention and all of that. We know that that's what they've done. There was no surprise with Bill No. 68, because we knew that was a Progressive Conservative kind of approach to collective bargaining.

But to have the Liberal Party and the Liberal Government now bring this forward, I guess it leaves me scratching my head why would they bring this type of legislation in at this time so early in their mandate, and I don't know why they want to rush it. They should allow collective bargaining to continue to happen. I think they should support our motion for a hoist to hold off for six months so that we can truly figure out what impact this legislation will really have on Nova Scotians.

We heard early on, Madam Speaker, or I mentioned earlier on, about really understanding what is before us when it comes to the environment and why we are at an impasse with negotiations. I think each and every health care provider works in a difficult environment and we truly, as MLAs - and I still need to learn and understand. As I said, I've been in here for almost 11 years, so even for me I need to continue to find out what those environments are within the health care sector so that I can do my role and my job and take my responsibility as an Opposition member, as a Health and Wellness Critic now, very seriously and move forward with good debate and bring awareness around why we're doing what we're doing.

As I said earlier, no matter what position you are in the Legislature, you should be bringing legislation forward that is good, that makes positive changes, and that you can support and stand behind. I can stand behind the hoist that our Party just brought forward, Madam Speaker. I stand behind it, I support it; I think it's the right way to go.

The Liberal MLAs will have to stand behind this piece of legislation, Madam Speaker, for the rest of their mandate. This doesn't just get over tomorrow or Wednesday or Thursday or even Friday. As I said earlier, Bill No. 37 is going to pass. There is nothing we can do; there's nothing the Official Opposition can do to stop this piece of legislation. The only way it will not go forward is if the government - maybe some of the rookies changed their minds and say oh, I don't like this. That happens from time to time. I'm sure many of them should feel free to do it this time if they want, where they vote their conscience. They don't vote for what the government is trying to do. Maybe even some of the front-benchers really need to look at this and understand if this is what they are going to be able to stand behind as they face Nova Scotians.

It's not over on Friday, Madam Speaker. That's why we're offering a solution, a temporary solution to hold this off for six months, to do some proper consultation. As was stated earlier, we found out and got this piece of legislation as it was introduced by the minister - not usually the normal way for Opposition members to find out what government's intentions are with legislation. At least they have a bill briefing. It was done after the introduction of it.

It was already leaked out there. We had media reporting on this while they were negotiating so it wasn't a big secret. We knew government was going to do something, somebody leaked it. It wasn't us leaking it, we found out - sorry, Madam Speaker, I'll try not to engage with the members across. It's a trap you shouldn't fall into, unless you get really tired but I'm okay for time, I think. I've done a good job, I think, at trying to make sure that not only the people in the gallery, the members across the way, the members in the Official Party, recognize why we chose to do this motion, why we feel it's important that government have a sober second thought on this because ultimately - and I'll be wrapping up soon. (Interruption)

I have four or five minutes, I'm okay to give up a couple of minutes of that time - ultimately, like I stated earlier, Madam Speaker, everybody and every Party needs to stand behind the legislation they are bringing forward and the government is going to have to stand behind this.

We're going to hear tomorrow, Madam Speaker, and I know my colleague, the member for Queens-Shelburne mentioned this to the rookie members, through you, but tomorrow when Law Amendments Committee happens, they are going to hear what the environment has been like for health care providers over the last number of months, the last year, and why they were doing what they were doing, why they were asking for what they were asking, why they were negotiating the way they were negotiating. I encouraged them

to listen to them, maybe ask a few questions, and maybe allow them the proper time to tell their story. I can tell you, it's pretty hard to explain what you do as a nurse or another health care provider in five minutes or less in the Law Amendments Committee - extremely hard to do, and to really understand what they're going through.

That's why we made the decision to do the hoist, to ask for the brakes to be put on, to ask government to go out and ensure that they truly understand what is going on with the 2,300 nurses from Capital Health on their negotiations, and why they are asking for what they are asking. Are there improvements that they could have made - which, not all changes to collective agreements cost millions of dollars, Madam Speaker, they really don't. But what we've seen over the last month or so is a refusal from the government to even entertain or discuss or talk or educate themselves on some of those changes that maybe could have happened that would resolve and de-escalate the situation we're in right now.

I said this at the start. I'll say it at the end. This piece of legislation will do no good for workers in the Province of Nova Scotia. If anything, it's going to create a worse working environment in the province as a whole, especially since they've encompassed so many different workers - not only in health care, but in community services. I don't remember the last time a group within community services went on strike - I really don't. I'm trying to remember. But to see them included in this, I don't understand it. I think it was residential care - that was years ago.

So that's what we're asking. Think about this. I ask the new members across the way to think about this and to realize that those people who are excited that you're at their door, that voted for them, are going to ask questions about this, and you're going to have to have some good answers about why you brought this forward, and why you supported it, and why you took rights of workers in the Province of Nova Scotia - especially for health care workers - why you've taken them away, the rights that have been worked upon for decades, way before many of us entertained coming into this Legislature. That's what the Liberal MLAs will have to face.

As I said, four years is a very short time. People remember, and I don't doubt that the unions across this province - no matter if they're included in this or not - are going to make sure that people know about it, and that the current government and the Liberal Party will be held accountable.

With those few words, I appreciate your time. I hope the members vote to have this delayed for six months. Thank you.

MADAM SPEAKER: I'd like to remind some of the House members to please keep the chatter to a reasonable level during debate.

The honourable member for Chester-St. Margaret's.

HON. DENISE PETERSON-RAFUSE: Madam Speaker, it's a privilege for me to stand here this morning, very early in the morning, to talk about the importance of the hoist - to give an opportunity of time. That opportunity of time is not only important for nurses and our health care workers - I will explain this morning how important that it's going to be for the Liberals' future.

I want to be clear that this Premier likes to point fingers at others. He has done it many times since he has been Premier in the last six months, and as typical as we've seen so far, his comments have been very misleading. The one thing that I want to truly clarify for everyone here, Madam Speaker, is pointing the fingers about the paramedics and the bill to legislate them back to work. There was a very clear difference, and that difference has been explained to this Premier. That difference was the fact that the paramedics had, unfortunately, put Nova Scotians in a position that they were not going to provide any type of service whatsoever. That meant that when somebody made a 911 call, there was no one there in the role of a paramedic to take them for emergency care. That's why we had to force our hand with respect to the legislation of paramedics going back to work - very, very different than what we're speaking about today in terms of the nurses and health care workers.

The nurses have guaranteed that if they went on strike, 50 per cent to 60 per cent of coverage would have been the coverage of emergency services. Therefore, what that meant, what would have been mainly affected would have been our elective services in the health care system in Nova Scotia. That is incredibly important for the public to understand, and we will be making sure the public understands that, because time and time again, this Premier has stood in this House and pointed a finger in this direction to say, well, you legislated paramedics back to work; you're no different than we are. Well, it was a very different situation - a very different situation. Does it make it right to be able to point fingers?

This Premier worked very hard to get into that position by standing on this side of the House - I watched him over the years - and make out that he was a friend to everybody. He would say anything in terms to get a seat on the other side.

It is totally changed now, Madam Speaker. It seems to be a whole different situation. Those very people who - this Premier stood in this House, the member for Annapolis, and talked about the importance of collective bargaining, talked about the concern towards those people or individuals in the collective bargaining process. It's totally different now.

Why is it different? The only reason, Madam Speaker, that I could figure out is the fact that he got what he wanted. He got to become Premier of this province.

MADAM SPEAKER: Order, please. I'd like to remind the honourable member that if she could bring her comments to the hoist motion.



MS. PETERSON-RAFUSE: Yes, that's what I'm talking about, Madam Speaker. (Interruptions)

MADAM SPEAKER: Order, please. The honourable member for Chester-St. Margaret's has the floor.

MS. PETERSON-RAFUSE: Madam Speaker, it's exactly what I'm talking about because I'm talking about giving people time to consult and time for Nova Scotians to offer their opinion. That is what the member for Annapolis stood on this side over and over and said. That is what the election material said. It said about trust, transparency, collaboration, and consultation.

I'm not making that up. I saw the same type of Liberal election material as did everyone else in the Province of Nova Scotia. What happened to that once the member for Annapolis got in the chair over there - and the other members? That's all out the window.

What we're talking about is on this bill. We're talking about the very same things that as a member of the Opposition, that was told to Nova Scotians. Nova Scotians put their trust in the member for Annapolis and that is why he has become the Premier. He will not be the Premier the next time around because Nova Scotians will remember this. I will tell members this morning that this is a nail in the coffin - they may not think so, but this is the nail in the coffin, and there will be many more to come. People will not forget at all.

I guess I should not be surprised because this is one of many in the last six months that have been a total flip-flop in terms of what was said on this side. People recognize that; Nova Scotians see that. The members in the government can fool themselves, but they're not going to fool Nova Scotians again. It's about time because the member for Annapolis wanted that position so badly. He wanted to be Premier, so it's time for him to take responsibility and act like a Premier and give some thought to the bill and the importance of another six months to be able to do the exact thing that the member for Annapolis said over and over - you can trust me, we're about one Nova Scotia, and we are about collaboration. Well, I don't think anybody sees that at all, especially in this Bill No. 37.

What's so unfortunate - and it's no wonder the public is cynical about politicians. It's almost embarrassing, I feel, as a politician because of the fact that people are cynical about the job we do, and this is a very good reason why.

I think that what's really very important - I know that you have, that in the Liberal Government there are many new members. It would be really interesting to know how many of those members, when they knocked on the door and somebody asked, would you toe the Party line or would you represent me as a constituent or my needs? I wonder how often that people were told that the constituents would even be more important to them to get that needed vote. Well, the members have to go back at some point, and it won't be just at election time. It will be tomorrow; it will be the day after; and the day after. That's why

the hoist bill, we are recommending that you take that time, take that six months to be able to consult. That's extremely important to the people of Nova Scotia - to have an opportunity to have their say.

I'm sure, Madam Speaker, that everyone in this Legislature has experienced care from a nurse or a health care professional, and if they haven't, I'm sure a family member has. I know as an MLA since 2009 that over and over, one thing I did hear from people was the fact that if they ever had to utilize our health care system - as bad as sometimes it was or could be - the fact is that they were always touched by the hands of a nurse or a health care worker that made a huge difference in their experience, whether they were getting surgery, whether it was their child who was sick, or whether it was their parents who needed a health care worker to look after them. People feel so strongly about the nursing profession and the health care workers that we have in this province.

So I think it's very important to take six months and really think about this because each and every one of us, we're not getting younger. We're all getting older and we're going to have many more needs from the nursing profession and from health care professionals. Believe me, I would not want to be any Liberal person seeking that help from the health care profession because I can tell you that they are very professional and they will not compromise what they are doing, but the members should feel very embarrassed when they are looking in their eyes or getting those types of service, there's no question at all. It's not a matter that there will be any less professional service, we all know that. It's fine, you have to live with it and you will live with it for just one mandate, believe me.

You can't have it both ways. You can't stand in this House and say we respect nurses, we respect health care workers, yet at the very same time you're bringing in legislation that takes away the rights of those health care professionals. That's why it is so important to be able to take the time and offer that time.

What is the fear of having an extra six months in order to discuss this and talk to the health care professionals across the province? It also includes, surprisingly enough, individuals who work for Community Services. That was a real surprise to many people that you would also include people who work for Community Services in this bill, so it's like a wide-sweeping bill.

This is not just focused on Capital Health here in Halifax; this is focusing on many, many Nova Scotians in many, many different jobs across our province. Therefore, taking that time is critical. We believe it will be time well spent and maybe after six months' time you will be very glad you made that decision to say wait, let's put the brakes on. Maybe we're going too fast here. Maybe we are doing the wrong thing. Maybe we should talk to Nova Scotians. Maybe we should see what Nova Scotians are saying.

I know one thing, very often when you talk to people, as I mentioned, what they will talk about is the fact that - I don't think I could have gotten through that situation in my life with a critically ill parent or a child if it wasn't for the nursing care and how they touched our lives, in terms of the hours they gave.

There's no question, Madam Speaker, in your work environment, there is a domino effect. You cannot expect people, human beings, to be working long hours and then, when somebody cannot come in because they are sick, you have to continue to do your job. Look at how tired all of us are this evening. This is what nurses do almost every day, all their shifts, all the time they are stuck in this type of situation. Most of us are trying to make it through the evening.

I think that each and every one of us should shadow some health care workers and nurses to see what it's really like. This is just a little sampling of it, what we're going through this evening, standing here and being exhausted. They have to face that after a long, 12-hour shift that they may have to continue, or the fact that they need to be able to leave some patients just to go to the washroom but they won't do that because of the fact that there are not enough nurses to cover that.

My goodness, we're all human beings here and we expect - we don't do that but why do we expect nurses and health care professionals to do that? Who are we, as elected officials, to say that health care workers and nurses should work in an environment like that, looking after sick people and people who need to have the service and the support of a health care worker or nurse who is not exhausted? I'm sure that when we get little sleep we don't always make the right decisions because we're exhausted. We're feeling that here this morning, yet we expect nurses and the health care workers in this province to do that as a normal routine and part of their job. My goodness, I would say that six months of talking to Nova Scotians, in spite of yourself, is not going to do anything but good, to give Nova Scotians that opportunity, and health care professions.

As my colleagues said here this evening and this morning, we have no control. You have a majority. You're the ones in the driver's seat right now, and you can either drive off a cliff or you can drive in the right direction. Driving in the right direction is to give another six months. That's what we're talking about here with the hoist of this bill: to give another six months.

I can remember how often on the opposite side, that those are the things that were thrown out, the importance - that we've got to talk to people. Nova Scotians don't feel like they're being heard. Why are you doing the same thing that you said we were doing? And we were out there consulting all the time, and getting criticized even for that.

Madam Speaker, it is so vitally important that these six months are offered to the people of Nova Scotia. There have been a lot of studies and research done in terms of this

type of legislation and how it has a negative effect on workers. I couldn't even imagine myself being in that kind of position.

I would like to read an article that was written by a Jason Edwards for the Halifax Media Co-op. This is in reference to the home care workers, and when that decision was made to legislate them back to work. This article wasn't hard to find.

MADAM SPEAKER: Order, please. I just wanted to remind the honourable member to direct her comments to the hoist motion itself.

MS. PETERSON-RAFUSE: That's what I'm doing, Madam Speaker, because the hoist motion is about six months, giving an opportunity to talk to Nova Scotians within those six months. Also, those discussions will be around the validity of this type of legislation, and that's why I want to read this article. This fits in perfectly with what I am trying to make a point of, that studies have shown that this type of legislation does not work. It affects morale, and it affects the work environment in a detrimental manner.

There have been studies done. This is not something that has been grasped out of the air. These are actual studies that have been done. I think it's important - knowledge is power, information is power in making your decisions. If they're not gathering all that information and that knowledge, you're going to make a decision that will have a very long effect on the Province of Nova Scotia and the workers, and will potentially affect your ability to be re-elected.

I want to read this article by Jason Edwards. It's a look at the health impacts of the Nova Scotia Liberals' attack on workers' rights. "On Saturday, Nova Scotia's legislature, led by Liberal Premier . . ." - I won't say the name - ". . . came together to pass essential service legislation . . ." - as I said, this is in reference to the home care workers - ". . . forcing home-support workers from Northwood Homecare back to work (and stripping 700 nurses from the Victorian Order of Nurses of their right to strike). This effort to subvert health-workers' right to free collective bargaining comes at a time when nurses across Halifax are poised to strike."

MADAM SPEAKER: Order, please. Does the member intend to read the whole article or quote from the article?

MS. PETERSON-RAFUSE: I'm going to read the article.

MADAM SPEAKER: Apparently it is not permitted to read a whole article.

MS. PETERSON-RAFUSE: Well, then I'll quote pieces out of the article. I will read quotes and then I will have a copy tabled.

MADAM SPEAKER: That is permitted. The honourable member for Chester-St. Margaret's has the floor.

MS. PETERSON-RAFUSE: Thank you, Madam Speaker. In this article, some of the quotes that I will talk about are the quotes that our Premier actually said. The Premier said - and this was in response to Progressive Conservative essential services legislation in 2007. Our Premier said, at that time as the member for Annapolis, "It has been proven from one end of this country to the other - this legislation will not work." It is also worth noting that, while both other Parties voted against the bill, that the Progressive Conservatives' and New Democrats' consent was given to hold the weekend session where the bill was passed. (Interruption) No, there's nothing wrong with reading that - because we know, we had a majority, and we worked very hard. The seven members that we have here, we work very hard and people know that. We're not embarrassed by the fact that we stand up for workers in this province. We are not embarrassed by that whatsoever. You may be, but we aren't.

MADAM SPEAKER: Order, please. I would like to suggest that - gosh, it's early in the morning, and I really appreciate everybody's patience and tolerance in all of this because I know this is very difficult being up at this time in the morning and trying to think straight. I can't imagine how some of the speakers are doing that. So please, would you be able to direct your comments to the Chair as much as possible.

The honourable member for Chester-St. Margaret's has the floor.

MS. PETERSON-RAFUSE: Thank you. As I mentioned, what this article looks at is that there was a variety of studies done over the years, and one of them, in fact, was called *A Tale of Two Provinces*. That was a study that was done in 2007, and it was comparing the numbers of job actions in Nova Scotia to those that took place in Alberta over three decades. What it explains is how making strikes illegal in the health care sector doesn't necessarily result in less frequent job actions. That is a study, and there were others also done, that show that this is not going to get the results that I believe the Liberals think they're going to get out of this bill.

It said in their study, what they discovered is that despite its tight restrictions on health worker strikes and the political climate that was unfriendly to organized labour, Alberta had many, many job actions. So what we're talking about here is not something that we're pulling out of the air. This has been studied. It has happened in other parts of the province and it has not worked. That's why we're saying that it is so vitally important, that the hoist of this bill, to give six months to make sure you're making the right decision.

This is not a frivolous decision. This is something that will have a long-lasting effect. We're not just talking about workers - their families and their communities throughout Nova Scotia. It's essential that that's understood, and I'm not sure that everyone understands that. That's why we're standing here this early in the morning to do what we can as elected officials to ensure that every piece of information - that's our job, to

make sure that the government understands our position, understands Nova Scotians' positions. And it's not a political whim. This is really about people's lives. It's not a game. It's not who gets the most political points.

These are people's lives that we interact with. Everyone here, each and every day, there is no question, with the number of health care workers in this province that it is very unusual if a day or two goes by in your own life that you don't have some interaction with somebody who works at a hospital, a seniors home, works at a facility for supporting community services. So it is very important that we take this time and we have that opportunity, being in Opposition, to make sure we've done everything in our power, through what has been legislated for us to have that ability to do, that we make that point, Madam Speaker.

This is a very interesting comment in this article about this type of legislation. This is a little quote that I will read from here, Madam Speaker. It says that, "Even the right-wing C.D. Howe Institute released a study supporting this conclusions [*sic*] entitled No Free Ride: The Cost of Essential Service Legislation. Using a large set of government data, this study concluded that essential services legislation tended to increase the day-to-day costs of employing health-workers." I will repeat, it increased the ". . . costs of employing health-workers. It found: 'While government officials may wish to be seen to ensure essential public services by way of legislation, the designation is costly for taxpayers and increases the length and the likelihood of partial strikes.'"

I guess my question is - you are using this legislation supposedly to resolve your issues around strikes and it will not do that. We have that proof in studies - not just from my head - that have been done in Canada. That's why it is so important. Madam Speaker, I'm wondering how many have researched this in this House - Opposition, our colleagues here, colleagues across the floor - how many have a real, true understanding of this legislation and the potential harm it will do?

We expect - when decision-makers are making decisions that are going to affect us, I don't think it's a lot for people in this province or anywhere else, Madam Speaker, to expect that research has been done, that there's an understanding of what your decision is going to be. I'm sure that when any one of us is making our own life decisions, that we try to gather as much information as possible when we make that decision for ourselves or our family members. So, why would we do any less for health care workers or nurses in this province? Why would we do any less than we would do for ourselves or our family when we're making a decision? That is something people are going to have to live with, with this legislation going through. As we said, it will go through because you have a majority; that's the reality, you have a majority so it will go through.

The key for Nova Scotians is to know that the Opposition stood here for how many hours to make sure the Liberal Government - if they didn't do their own research, if they

haven't look at studies and analyzed them, if they haven't looked at this inside out, we are providing that information.

I believe that people in my constituency will be happy and proud of that. What we are trying to do is provide as much information as possible because obviously that hasn't been done on the Liberal side, or not everybody would be sitting there thinking this is great legislation. I wonder how many people actually even read through this, word for word, because they're just taking the word of their colleagues to say, yes, this has got to go through, this is what we're doing, this is our decision.

Another little piece, and then I will finish with this particular article, but another little piece is the conclusion to this article and I think that's very important for everyone to hear because it encapsulates what this author has been trying to say about legislation like Bill No. 37. In the conclusion the author says: "The evidence overwhelmingly shows that respecting health-workers' right to strike has a positive impact on the provision of health care services. This argument makes perfect sense when considered in conjunction with the concerns of Nova Scotia's healthcare workers. The primary concerns of nurses in Halifax revolve around their working conditions, including nurse-patient ratios. If nurses' workloads are lessened and more frontline health professionals are hired, this will result in better care for patients." And that's something that I've heard over and over, that the concern of this government is patient safety. Well, here it is in a nutshell - they're saying the studies have shown that the fact is that there is better patient care if you do not bring in this type of legislation.

It also talks about the cut of ". . . costs on things like readmissions, infections, complications and other negative outcomes. As a Nova Scotian, my friends, my family and I all are potential patients of these health care professionals."

This is from the author, Madam Speaker: "Their employment conditions are our health care conditions. In light of the overwhelming evidence, I would feel much better if their right to strike were respected."

I think that is very important - the fact is that their right to strike is respected. I know that members on the other side are saying it is, but we will see because all the evidence shows that that does not work. You can fool yourself, but you cannot fool Nova Scotians - and that's what will happen. It doesn't matter to me if you want to fool yourself, that's fine, but I don't like it that you're trying to fool Nova Scotians. I think that's why it's important to bring this to Nova Scotians and give them the opportunity, through a hoist of this bill, to give six months. (Interruptions) See, I hear more chirping from over that side about the paramedics. It has been explained over and over, and over again, that there was a difference with the paramedics because the fact is they were not offering any coverage of emergency services. There is a difference. They may want to be blinded to that (Interruptions)

MADAM SPEAKER: Order, please. The honourable member for Chester-St. Margaret's has the floor.

MS. PETERSON-RAFUSE: Thank you, Madam Speaker.

The fact is that there is a difference and whether the government wants to recognize that difference or not, that's their choice - but it will be the choice of Nova Scotians as time goes by and they understand more. You can point your fingers at us as much as you want, but you're the government now. You're the ones to be making the decisions now and so stop pointing the finger at others. We've explained - it has been explained about the paramedics and what the difference was. It was not easy legislation for us to bring in, however we had to look at the fact that if the paramedics went on strike there wouldn't have been one person who was going to be available to go and help anybody who needed a paramedic's service for emergency.

The difference, as I said, is the fact that the nurses were offering emergency service coverage. (Interruption) It was not 10 per cent. It was 50 to 60 per cent and on a good day there is about 80 per cent of nurses working because of the fact that there's sick time and vacation time - so around 50 per cent to 60 per cent emergency services was being covered.

People in Nova Scotia should not be fooled by the rhetoric and what is being said because the nurses know the difference. Every one of those nurses is a voter. They know the difference. You can try to say - the government can say what they want, they can try to fool, to offer misleading information, but the fact is at the end of the day the nurses know the difference. The health care workers know the difference. It doesn't matter whether myself, as a member of the NDP, knows the difference, but those - I think it's around 30,000 or 40,000 throughout this province - who do this as a living each and every day, know the difference.

Let's times that 30,000 to 40,000 by family members; let's times that by family members and everyone in the government will be hearing from many of those people. Don't think by the end of this week, because the bill will be passed, that that's the end. I am telling everyone it's the beginning, it truly is. It's not the end because there will be a domino effect from this bill. It doesn't matter what members on the government side are saying to try to fool their own minds that this is a good thing. They can talk themselves into whatever they want, but it is those nurses and those health care workers that know the difference.

We have another chirper talking about patients. Well, how many patients in this province, anybody receiving care from health care workers or nurses, have such a high respect? They understand, they truly understand the life of a nurse and they support those nurses. They know that the fact is that the nurses and the health care workers are looked after.



You don't have to be a rocket scientist to know that when you are happy in your job - the nurses will give the utmost in professional care. There is a big difference when people feel good about their job and they're not exhausted. That's when mistakes get made. We all know that, that is when mistakes get made. We talk about workers' safety in this province and we tout that but yet we do not apply that to the nursing profession. What is wrong with that picture? That is why we need six months, why we are presenting this option to give time for this government to do what the people of Nova Scotia have asked them to do - talk to us.

We've heard over and over again about the Minister of Health and Wellness travelling around the province and as we said, that's wonderful, that's what this is all about. That's why you get elected, because people want to have somebody representing them and feel that they're being heard. There are many times, too, we all know here, and those who have had the opportunity to be here the last number of years, we know how critical that is. There are times in our positions that we really want to help somebody and we can't do that because it's just not the reality, but the important part is many times you'll hear from your constituents who will say, we know your hands were tied on that one but you listened to us, you heard us, you were empathetic, you understood what we've been going through (Interruption) That's right, that's why we elected you is what we hear.

As many times as you want, the government side wants to make out that this is not a big issue with the legislation; it is. As I said, it is the health care workers, it's the nurses, and it's their families. It will not be long, when this House rises, that you will be back - our members will be back in their constituencies, and they'll be dealing with this. There's no question. Whether the Opposition gets out there and encourages people to contact you or not, people are going to do it on their own because people understand.

There have been many, many polls about the health care system, and what comes out on top all the time is the high percentage of people who have total respect for health care workers and nurses, and deservingly so.

How can we say at one time, at one point, we respect them, but yet we're not giving them the respect? We're not giving health care workers and nurses the respect of the patient-nurse ratios? We're not giving them the respect that, when you come to work for a 12-hour shift, that you may have to stay longer? We're not giving them the respect to hear what they're saying and giving them the opportunity to negotiate that in collective bargaining?

Another factor is that we know that about 97 per cent to 98 per cent of collective bargaining ends in a positive result, because it is human nature to hold out to the last minute. That hasn't happened here. But yet, at the same time, the member for Annapolis, who is now the Premier, even said those same things. That's what's baffling to me, so it must be baffling to all of Nova Scotia. How can you say something six months ago and it be totally different?

As we commented here, we all have different political views in what we support and what we don't and how we see the world and so forth. I know that our colleagues from the Progressive Conservative Party at least - what they're saying may not be what we see as a vision for the province, or it may not go with our political theory, but they are consistent. People can trust the fact that what was said six months ago or a year ago is the same thing that is being said now - not a total flip-flop.

Members can throw out whatever they want to point fingers, they love doing that. But as I said, Madam Speaker, it is time that they govern. It's time to take the leadership and stop pointing fingers at everybody else, like a school bully. That's basically what it is. It's your fault. Blame it on - well, Nova Scotians made a choice, they did. They did make a choice, and they will make another choice in the next election.

They made a choice, so they expect when they make that choice, Madam Speaker, that they take the responsibility of what they've asked for. They asked to govern this province. They've been given that right. So stop pointing the fingers and start governing this province and dealing with the decisions you are making.

As I've said and we've said here tonight, it won't be me making that decision, Madam Speaker. It will be Nova Scotians. When we're talking about nurses and health care workers and their patients, they will make that decision. That is why it's so important that we and our Party are bringing forward the fact of a hoist motion, in order to give some time. How many times in our life have we said, when we're trying to make a major decision, that we need a little bit more time because we want to make the right decision?

What is there to be lost in a six-month period, I think, is a question Nova Scotians are asking - what is to be lost? What is the intention of this legislation? What's really the intention behind this that it's so important to rush this through and not give Nova Scotians an opportunity to voice their opinion? What is the fear factor here? That is the question. What is the fear factor of not giving Nova Scotians the opportunity to talk about what is so important to them?

As we've said many times over - and I know, Madam Speaker, that the members of the government know this - health care always comes up as a very high importance level when any polling is done. So to even think that this is going to go away after that legislation is passed is pretty naive. It won't be for me to make the decision. It will be the people of Nova Scotia, because as time goes by they will see more strikes, and they will see unrest in the health care system with the workers. Is that what we wanted for Nova Scotia? Did we want to throw the health care system into chaos? That's exactly what is happening here.

It's amazing that within only six months of governing, we have health care workers and health care in chaos in our province. There will be no fix here. This government has put health care in chaos. That will be their legacy. Believe me, in the history books that will be the legacy. As I said, Madam Speaker, that is why they should do a favour for themselves

and take six months to really review this, to look at the studies that have been done - not just in Nova Scotia but across Canada. Look at the other areas in Canada. Look at them closely. Talk to people. That's what people want. Talk to those who are in health care to find out from them what they think is important.

I think it's very sad that we expect those very important people who look after our sick loved ones, and ourselves - I recently went through surgery, and I cannot even talk about the wonderful care that was provided to me by not only the doctors but the nurses in the hospital. I received absolutely incredible care. I know many other people who have had much more difficulty in their health.

That's what is mind-boggling. The fact is that we are an aging population; 1,000 people in Nova Scotia turn 65 every month. I know the government has talked about how we have to prepare for that, and how we should have been preparing. When we were in government, that's what we were doing: we were laying the foundation for people to be able to live in their homes longer, to make that choice about health care, and creating more long-term care beds.

What it is all about is also the fact that it's very important, in a leadership position, to prepare ourselves and our future generations for that. And we're taking it all away in this Bill No. 37, because we decide that we don't have to be supporting nurses and the fact that they're working 12-hour-plus shifts? That they have six or seven patients? That they are run off their feet? At the same time we're still saying that we respect them, but we don't respect them enough to be able to provide them with the supports they need in order to do their job at the level at which they so desire to do it each and every day.

I know it's a very emotional topic, and that's why it's so important that we look at another six months. What is the rush here? What is the statement we're making to all Nova Scotians? What is the statement?

We hear them yell, it's a strike. Well, these nurses are going to cover emergency services, you know.

AN HON. MEMBER: Ten per cent.

MS. DENISE PETERSON-RAFUSE: No, it is not. Get your figures correct. That's the problem, Madam Speaker. (Interruptions) That's the problem. That's the facts. You twist and turn the facts the way they want to hear them, and the way they want Nova Scotians to think.

As I said, time will prove this. The next election will prove this. This will be a legacy that the government and the Liberal Party will not want to have, but they will have it. They are the ones who are in control to make that decision.

When you're going for care and you get that top professional nursing care they will give, just remember, part of the decision that was made and brought forth by this bill is your responsibility. You're not going to be able to point the finger at any one of us over here this time. This is your decision and the government needs to live with that decision when they make it.

MADAM SPEAKER: Order, I would remind the honourable member that when I'm sitting in this Chair I'm not part of the government, but an impartial body here so I would appreciate you addressing the comment in that manner. Thank you. (Applause)

MS. PETERSON-RAFUSE: I wanted to thank them for their applause, Madam Speaker. I understand the sensitivity that the government members are going through; it hits a nerve. I hear laughter over there; they may think this is funny. This is not funny to the nurses. This is not funny to the health care workers. This is not funny for those who work in Community Services, who are looking after people with disabilities, who are doing their best and working so hard and going to work in all sorts of conditions, all sorts of weather. This is not funny to them. It may be funny to some of the members in the government over there but I'm telling you this is not funny to those that it will affect and their families and friends. They will find that out in the future because decisions will be made by Nova Scotians. Thank you.

MADAM SPEAKER: The honourable member for Sydney-Whitney Pier.

MR. GORDON GOSSE: Madam Speaker, I'd say it's a privilege to stand here tonight at this late hour at 5:55 a.m. to read the hoist of Bill No. 37, an Act to Ensure the Provision of Essential Health and Community Services be now not be read a second time but be read a second time this day six months later.

A hoist motion is used in most Legislatures in the new Westminster system to cause a bill to be delayed for a six-month period so I think the purpose of that hoist motion is a delay tactic and Oppositions often use the hoist motion to delay tactics for bills and passages. The House of Commons and many Legislatures in North America use this procedure.

The main procedural usage is to ask the government and the government body - whether it's the House of Commons or here in Nova Scotia - that we look at consultation. Has the government body done enough consultation with nurses, with health care workers? When we look at Bill No. 37, it's such a broad-ranging bill when it was introduced today: a Homes For Special Care Act; services “. . . to support a person in the person's place of residence, including, without limiting the generality of the foregoing,” home-support; palliative care; this one is interesting, Mi'kmaw Family and Children's Services under clause 3(1)(a) (vii) in Bill No. 37 and the other one was Children and Family Services.

So a wide-ranging bill, Bill No. 37, to look and include all of those - it's more than just the NSGEU in this bill - special care homes, small option homes, I even thought somebody said daycares, but when I read it I don't think daycares are included in this - I don't think that's included, I'm hoping not anyway - ambulances services, the paramedics again, Emergency Health Services Act.

The hoist motion is a six-month period to ask consultation with health care unions. Any time that legislation is introduced, the impact the bill has on the people that you represent in the Legislature is to consult with each and every member of your constituency, whether you do it by email, by phone or on the street. We will have lots of consultation later on here this morning when the NSGEU workers show up. I imagine there will be quite a few in here today to discuss this hoist motion and to discuss Bill No. 37, to discuss the impact that's going to have on the Province of Nova Scotia. It's tens of thousands of workers in the Province of Nova Scotia that this bill affects. What this hoist motion does: six months to discuss with Nova Scotia workers what will happen in essential services legislation, or what will happen.

I remember, and I quote the Premier earlier today, I think he said that this is a fair and balanced bill. Well, in order for us to find out if this is a fair and balanced bill, consultation is in order for us to find out. Did we consult with the NSGEU? Did we consult with the NSTU? Did we consult with CUPE? This bill covers a lot of unions. It's not just the NSGEU anymore.

I think some of my colleagues have gone as far as saying it is draconian legislation. I'm not saying that. I heard that repeated tonight by some of my colleagues on this side. But coming from a background of Cape Breton and a union, and thinking about consultation in six months, thinking about how much time we've had, thinking about how far we came in the labour movement to get where we are today, to have this bill tabled in the Legislature today - that is a devastating piece of legislation that people have fought their whole lives for, the move for fair wages, the move for benefits.

Today, I think somewhere in the sense that, when you look at it and consult, 70 per cent to 80 per cent of the health care budget is wages. I think I heard one time that 43 per cent of the provincial budget in Nova Scotia is health care. Eventually with the aging population, we're going to have a budget that eventually will be 50 per cent of the provincial budget. We have a \$9 billion budget, but half of that eventually, in time, and some of the younger members who are sitting here today will see that time, when 50 per cent of the provincial budget will be spent on health care.

Will this legislation prevent or help with the way that money is being spent? Will that go a long way in ensuring that this is the proper thing to do with this piece of legislation? I think and wonder about the hoist motion, about being six months - do we actually know the impact? That's what a hoist motion does. It asks you to take six months in a periodic piece of time to look and say, okay, is this the best piece of legislation that we

can have here in the Province of Nova Scotia? Did we consult with all the unions that are affected by this piece of legislation today?

Do I believe that the government consulted with each and every one of them? I think the government acted in haste. I think that sometimes when we're tired and - we've been here less than 15 days since the new government. I think we've been 15 days in the Chamber. We've already sat on a Saturday. We've sat now at 12:01 A.M. - after midnight. Some of the things that we're doing - are we consulting people who elected every member of this Legislature to come in here and say, okay, is this the right thing to do? Is this the right thing for us to do here today?

I, personally, don't think this is the right thing to do at any time. In my labour background, a hoist motion is about consultation. That's what it's all about. You know, health care workers today - it's a very intense occupation. I think the union said they were willing to provide essential services for the ER. They were willing to provide essential services for cancer care, renal dialysis, veterans, transplants. I mean, how much is that a percentage of essential care services for the Province of Nova Scotia?

If we give examples - I heard my colleague earlier, who is a paramedic, give examples of some of the extreme conditions that he saw in his time as a paramedic. For him to go out and consult with the paramedics or consult with anybody in the health care field, to consult with the small option homes which are affected by this. I mean, this piece of legislation - what's going to happen to the small option homes that are affected by this piece of legislation?

The hoist is there for six months for anybody to go out and consult, to make sure. I wonder the consequences of not consulting with members of the public on this Bill No. 37. If we consult with more people - and that's all a hoist does, is give you time to debate about what the importance is of the piece of legislation that's on the floor and what a hoist motion is. It also gives you the correct time if you want to make changes, if you hear from - and we will hear later on today in this Legislature, we will hear at the Law Amendments Committee, I imagine, from a few people that are not happy with this bill. I look forward to that, as a member of the Law Amendments Committee, to sit in there.

What's this going to do for the health care workers? We talked about and we listened to the commercials that we saw on television - Chantal was her name, I think, and there was another nurse in the green, I forget her name, but talking about not filling shifts; not able to take breaks; no flexibility when rescheduling. Those are things that a hoist motion does so members of the Legislature can go out and consult with their communities; go out and consult with health care workers to say, is this really what's happening?

On a recent visit to the ER Department in the Cape Breton Regional Hospital, it was amazing to see the nurses in that department scrambling - there was a flu epidemic on or something and it was just amazing to see so many people working in a cohesive nature to

provide the best health care. We do have a great health care system here in the Province of Nova Scotia. Will this make it better? I don't believe so. I don't believe that this piece of legislation is going to make health care any better. I think what makes health care any better is the services that are provided by the nurses. The nurses aren't a cog in the wheel that work in the health care department, they're the ones that make the hospitals tick. They're the ones that make the people in home care tick when they go to visit the people at home and make sure that they're taking their meds when they're trying to keep them at home.

With cutbacks coming from the federal government in the health care transfer payments and millions of dollars not coming to the Province of Nova Scotia - is this the right bill? Is this going to solve our problems of the millions of dollars being cut back by the federal government in health transfer payments to the Province of Nova Scotia? This is why the hoist is important to consult. Consult with your constituents; consult with everybody that you can - health care workers, you know what I mean? Consult with people who work at Children's Aid in Sydney. This bill actually affects the Children's Aid Society. When I read it, it said the Children and Family Services Act, which is the Children's Aid Society of Sydney. I know most of the staff who work there. I worked in that field for many years. I know the dedicated staff that they have there. How are they going to feel when they open up today's paper or see the news this morning and say, okay, so this legislation does affect us in the Children's Aid Society?

The people who work at the Mi'kmaq Family and Children's Services, how does it affect them when they provide their services? Again, a hoist being a six-month motion that we look at consulting to all of the people who are affected by this bill - if you look at all the different unions that are affected. I think that it's important to realize that when we go in society today in health care is that - I looked at some of the papers that were out there. I think my colleague quoted some of them earlier talking about, has Alberta been better off since they introduced essential service legislation? You know that they had 15 times more illegal work stoppages in the Province of Alberta than we've ever had here in the Province of Nova Scotia. Is that bill going to do that to this? Are we going to have illegal walkouts all across the sector, whether it's Mi'kmaq services, whether it's Children and Family Services, whether it's palliative care?

When you look at essential services, you look at Saskatchewan one time and they had a debate. Lorne Calvert was the Premier and they were talking about bringing - and he said no, the way to do this is through bargaining, and if we can't get through bargaining then we go to binding arbitration. That's the way things are done in the Province of Saskatchewan. That's Lorne Calvert at that time.

If you look at Alberta, when they introduced theirs, they had 15 times as many illegal work stoppages. By the hoist being introduced tonight gives us all as legislative members to have an opportunity to consult with the health care professionals; to consult with people who work in Children's Aid; to consult with people who work in the 911

centre. I mean, the people who work in 911, I was surprised to see that in here. Those people, are they essential services and 911, the ones who work in the call centre in the city on the Grand Lake Road? I mean the home support services.

I just wonder, with all this that's happened and listening to everything that went on here today, I think we have a legal challenge before the courts now in Bill No. 30, if I was to think correctly that that's going on right now. Is this bill going to be challenged in the courts also? Is this the way we're going? That's what a hoist does. It gives you an ability to be able to consult. It gives you the ability to be able to consult, and the minister - I know I heard the Premier today saying the minister has been travelling around the province consulting with all the DHAs. I heard the minister on Information Morning in Cape Breton recently talking about visiting the DHAs and his vision for health care in the Province of Nova Scotia by going to one district health authority and zones, and then one for the IWK. Do I think that's a good idea? Absolutely not. Alberta tried that and it cost them \$46 million. How much is it going to cost the Province of Nova Scotia when they go to one district? Is there going to be neutral free because we're going to have all these administrators that are laid off?

The Cape Breton District Health Authority has the lowest administrative cost of any health authority in this province, the lowest administrative cost of any hospital. That's the hard work of the community. The money they raised. When I think of Irving Schwartz and Jack Yazer, the money - they consulted the community; they went out and raised the money. Anybody who is an MLA in Cape Breton can sit and tell you how much money they raised to build that beautiful facility there.

At one time, we always travelled to Halifax for cancer treatment. Back in the 1980s, I drove my grandmother up for cobalt treatment and back here. Now people actually come to Cape Breton to our health authority. People come from Pictou and Antigonish and stay at Holy Redeemer Convent in Whitney Pier. They have their meals there, and then they receive their treatment.

Does this bill affect those people and their care? It affects the people who provide the care to them. That's what, when we move a hoist motion, it's a motion for six months, so that this bill cannot go forward for six months, so we can consult with everybody.

In six months' time, what would it look like if we were to go out and speak to nurses and home care workers and people who work in small options homes and see how they feel about this? I can imagine them waking up today, after working the back shift in a small options home - and those homes sometimes have four or five clients in there who are of different intellectual disabilities, mental disabilities. I worked in that field as a youth worker, and worked with young offenders in custody in an adolescent treatment centre for young offenders. How will it affect those people who are on the front lines?



I know how it is affecting the NSGEU today. In about another hour's time I imagine, when the sun comes up, that there will be more than enough sun coming in through those windows from outside today, Madam Speaker. I do think that when we have a hoist, and what it does is to consult - and I'd like to consult with the minister myself, personally. Today during debate, and two or three times, he mentioned Phase III. I was hoping that maybe he could enlighten me someday on what Phase III is and what phase that is where he is in the talks with health care, providing health care to the Province of Nova Scotia. I just wanted to know what Phase III is.

I admire somebody who travels and speaks to people. I admire somebody who walks in their constituency and walks to their constituents and talks to what I call the local Tim Hortons and go into the Senate table. I mean, you always have to say - you can go to Tim Hortons in Cole Harbour, you can go to Tim Hortons in Whitney Pier and go to Tim Hortons in Glace Bay - the same crowd are at the same table. I call it the Tim Hortons Senate table, because they know they can solve every problem. I wonder if they can solve this problem at the Tim Hortons tables tomorrow morning when they get up, because that will be the debate sitting in Tim Hortons tomorrow: this debate, for or against, on either side.

It's ironically enough that when you go to Tim Hortons and hear that - so you can honestly go there. I go to Tim Hortons and I'm at home all the time, so interestingly enough, I call the tables over there the Senate table. They know how much I feel about the Senate, as a New Democrat, so I don't think they feel that animosity towards me when I go in there to speak to them. But they sure do solve a lot of issues like this at Tim Hortons each and every morning. Maybe we should have a Tim Hortons round table and we can all go some time to Tim Hortons and speak to all those people who are in there.

This piece of legislation affects tens of thousands of workers - not just the NSGEU today, but tens of thousands of workers. I heard it quoted earlier this evening that somewhere around 30,000 workers in the Province of Nova Scotia are affected by this, maybe upwards of - I don't know if somebody mentioned - 40,000. What way will it affect them? Will it affect them by the duties? What happens if they all resign tomorrow? What happens if we're here in the Province of Nova Scotia? Is the government going to take them to court? Are nurses going to leave again? Are nurses going to go to Alberta? Are nurses going to leave again and go to Alberta en masse - go to Alberta, Saskatchewan, British Columbia, out West, anywhere? Are they going to go to the United States?

Is this what is going to happen? Are we going to be in chaos when we wake up tomorrow? Well, some of us never slept to wake up, so some of us are still standing up in here. But I mean, when we arrive tomorrow and the sun comes up, are we going to be affected by these changes? Are there going to be massive resignations? Are there going to be walkouts tomorrow?

I thought that was pretty admirable of the NSGEU saying to the employer, you know we will provide the essential services. Imagine for the people who get renal dialysis thinking okay, listen, if there's a strike I'm still going to be able to go to the renal dialysis unit and receive my treatment. Some people go three times a week - Monday, Wednesday and Friday. If I have cancer, the nurses in the NSGEU said no, we will staff that centre, we will provide those essential services. (Interruption) No, it's not mine, everyone is checking now to make sure the alarm clocks are not on their cellphones.

Veterans at the NSGEU said - so, again, the hoist motion talks about consultation for six months. Transplant patients - can you imagine if you were scheduled to have a kidney transplant, yet the union said we are going to provide essential services for those receiving a new kidney, even though we disagree with our bargaining, it has not gone well and we're going to go on strike, but we're going to provide those services to those people who are receiving kidney transplants? That's important.

You weigh the fact that we're going to provide those services, you know what I mean? I believe the nurses and I believe everything - they were willing to provide those services. There's a debate whether the managers of the health authority wanted them to provide an 80 per cent - which is close to what they do each and every day anyway, or what's the percentage of services that they're going to provide.

There was one thing that I thought of, too, in today's society; I think nurses and health care workers, health care personnel are working harder, longer, and more intensely than they ever have before with this aging population in Nova Scotia. We have the highest rates of diabetes in the country; these nurses see these problems each and every day. The Health and Wellness Minister sees these problems since he has been there the last seven months and realized what the best option is for us as MLAs? What can we do to provide our citizens with the best?

This is what a hoist motion does: it gives you the opportunity to consult. The nurses have been trying to tell the Premier, they've been trying to tell the government that they have serious concerns about the workload. That's what they're trying to explain today in bargaining, that's what they tried to explain the last couple of weeks is that it's all about the workload and patient safety. How do we, as MLAs, not think of how important it is for patient safety? Isn't that what we do as members of the Legislative Assembly? Isn't my job as a member of the Legislative Assembly for the health and safety of the constituents that I represent here in the assembly? Absolutely.

Isn't this similar to the nurses? Their main concern is the health and safety of the patients that they have within the health care system. That's what nurses do. They were willing to provide essential services, ICUs, veterans care - those things are important. But to take away the nurses' right to strike, it's a very difficult situation, it must be a very difficult situation for every member of the government. The nurses have said to them, consult with us, consult, negotiate, we are prepared to continue to apparently negotiate, but

as we saw today when we came to work here this evening, the government, 15 minutes into the order paper, introduced Bill No. 137.

So much for the apparent willingness to negotiate knowing as a union member myself in Local 1064 thinking if I were at the bargaining table and the government of the day put a piece of legislation in the House of Assembly saying they're going to have essential services, what's the good of me being at the bargaining table over here when I know the government is saying no matter what happens there, we're going to put essential services in? What did you think was going to be the consequences of the actions of this bill? Naturally the negotiations were not going to go forward.

We look at the plan that the NSGEU had in place, it was a workable plan. I listened to what they had to say, the plan was they would staff the critical areas so the public would feel safe. I heard some of my colleagues talking about draconian action, the government's bill on the order paper, and the only other bill that was in there - you know what I mean, saying, why didn't you bring this in quicker?

I wonder if we as legislators, if we consulted as the hoist says for you to do, consult for six months, and look at that, I wonder if we would have a different view or a different opinion of the health care situation in the Province of Nova Scotia. If we were to look at the hoist and if we went back out and listened to what the nurses had to say, listened to what the children in family services, all of the ambulance services, the 911 centres, to hear what they had to say about essential services, I think when they wake up today they will realize, oh my, I'm covered in that piece of legislation - I can imagine them saying to themselves.

I think about the management part of the district health authority too. I thought about this for a long time. When you are on the management negotiation part of the team, is there seriousness or willingness to negotiate when you know you have essential services legislation in place? I mean, is the contract settled when you know okay, we have essential services in place so the managers of any corporation or the managers of the district health authority say we don't have to worry for us to settle because that's what happened in Alberta - when that piece of legislation was put in, the managers of the health authority said, well, we don't have to worry, we're not going to negotiate at the table, we don't have to worry, we're just going to go and bring in essential services legislation and that will put a stop to it; that would force the workers back to work.

Again, I talk about Saskatchewan, about Alberta, I talk about Ontario when they had the teachers' strike - I mean, the different pieces of legislation that they brought in, and the different governments. Strike activity is always the last cog, the last piece of what you have to do in negotiations. Strike activity always comes to the last straw when either the management team, the union negotiators, when they walk away from the table, when they figure they've both given their best to be able to settle a contract.

In contracts for many, many years, in the first days of when they settled their first contracts in the coal mines of Cape Breton or the steel plants of Cape Breton in the labour movement, you know it was all about give and take. That's what we don't have here - give and take. We have the government of the day saying no, we are going to legislate you back to work, you're going to go back to work and we're going to determine the health and safety of what the impacts are on workers' rights.

Again, with Bill No. 37, consultation, the hoist in parliamentary procedures is to give a delay of a bill for six months to see what the impact is on the workers it is affecting. I mean, what rights are being taken away from the workers? What are the workers' concerns? Collective bargaining, that's what we should be doing is collective bargaining, going to the table and saying okay, we can't do that, we'll go to binding arbitration.

What I think about is how many nurses will be leaving as of tomorrow? How many nurses will be fined? How many nurses - imagine, getting a fine, being a 25-year employee in the district health authority and being taken to court, taken before your governing body and fined because of something you believe in, something you believe the government should be doing, but something you believe in your heart that you want to be doing and you are going to be taken and given a fine. There are many instances where thousands of dollars - as a matter of fact, union leaders have been imprisoned in other parts of the province about strikes and along there.

When you introduce legislation like that you have to understand there are consequences to that. I just worry about the consequences of how many are going to be leaving, how many young nurses are going to be graduating from Cape Breton University - are they all going to be employed? Are they going to want to work here under this environment? Are we going to be able to attract young nurses to stay here in the Province of Nova Scotia, whether it's the district health authority, whether it's the Cape Breton District Health Authority, Capital Health, or the IWK? So when these nurses graduate, is this piece of legislation going to help them make up their minds that they're going to work in Nova Scotia because we have a good piece of legislation? I think not.

I think this is not going to be able to say to them that the social consequences of this are going to be far-reaching down the road, when we have nurses who are going to be leaving to go elsewhere in the United States, Alberta, British Columbia, or Saskatchewan, where they can make sure they have a decent wage.

This whole thing started out at first about patient safety. The nurses are the people who are front-line workers in the hospital. After you are in the triage unit - and it's different in the Cape Breton District Health Authority, the nurse is the one who takes your blood pressure, the nurse is the one who takes your blood or takes your vital signs and everything else.

By Bill No. 37 and having this hoist motion - the hoist is all about consultation. When you live in a province where health care workers take up 70 to 80 per cent of the health care budget, millions and millions of dollars are being spent. I think a lot about the consequences of this bill on younger nurses coming out and graduating. Are they going to want to stay in the Province of Nova Scotia? Will they want to work here?

The cost of this for taxpayers - the cost for the people we represent in the Legislature, when they go tomorrow to the district health authority, and nurses aren't there. Here we are in the Legislature, debating this controversial bill, and when they could have had essential services there if they'd just sat at the bargaining table when the NSGEU said, here are the essential services that we'll provide - why we have the right to strike. That's a fair, common denominator in negotiations.

When we went on strike in Sydney Steel, we realized - we're on strike, you had to keep the heat on in the ovens in the open hearth. You couldn't just walk out of the steel plant - if we walked out altogether, it meant that the heat came off the batteries, and if the batteries were shut down in the coke ovens it would collapse. If you were in the open hearth and you took the heat off the open hearth furnaces, what would happen? They would collapse. They would shrink. The heat is what keeps them going. It's like the health care workers: they're what keeps the health care system going. That's what does that. By bargaining and having essential services there, that's what that does - like the furnaces in the rail mill, by keeping the heat on.

If you had essential services during the times of strikes - on one strike they came in, and when they shut the heat off in the coke ovens, they realized there was a strike going on, and there were 150 guys that didn't have a job to go back to. The management couldn't keep the furnaces going in the coke ovens, so they collapsed. That was the end of it. No more making coke for the coke ovens to provide the blast furnace. That's what's happened here.

That's what happens here in the Province of Nova Scotia. That's why we have this hoist motion here tonight. It's all about consultation. It's all about making sure you're doing the right thing. I think we all got elected in the Province of Nova Scotia to try to do the right thing - whether this is the right thing, I think not. I think the nurses have been trying to tell us. Each and every night when I watch Saturday night hockey, I see Chantal come on - I feel like I know her. I've seen that advertisement that many times on CBC. It's like they're telling us, it's about patient safety. So consult with the hoist motion. Set this bill aside for six months. Let us sit here, look at this, set it aside for six months, get back to the negotiating table, get back to providing essential services to the people that are in our health care system, work on making sure that what the nurses do - they are the cog in the wheel of the health care system in the Province of Nova Scotia.

We saw back in the 1990s when the nurses got riled up, and in a very short period of time we're going to see in this Legislature when the nurses get riled up and how they're

going to feel about this hoist motion, how they're going to feel about this piece of legislation. I wouldn't doubt it today, as we sit here today, if it's just going to be health care workers coming in here. It may be small options homes people coming in here today. It may be people from family services, different unions - from all walks of life.

This is a broad piece of legislation. Bill No. 37 covers so many different unions and locals - not only the NSGEU but also CUPE - they have small options homes. This has far-reaching consequences from not just here in Halifax but from Sydney to Yarmouth and points in between, from Amherst to Antigonish. This is what we call a very serious issue that's being debated here in the Legislature.

In Opposition all we have is time, and a hoist motion is time. In the Canadian system of governance, in Opposition your collateral is time. That's what we're doing here tonight. The time from 12:01 a.m. now until 6:30 a.m. is to say this is what we're doing, we're looking at Bill No. 37, an Act to Ensure the Provision of Essential Health and Community Services. When it was introduced today, I kind of said, Community Services? What part of Community Services? Then I started to realize that the Homes for Special Care Act, some of those homes fall under Community Services. Will that affect New Dawn Enterprises? New Dawn Guest Home, up at the radar base?

Again, that's why a hoist motion gives you an opportunity to go back to your constituents and say, okay, are these going to affect the 34 patients that live at New Dawn? That is a Community Services-run home, but it has 34 patients. It's a beautiful facility. The nurses that work there, the RNs and LPNs that work there are just fabulous, the service that they provide to their clients in that facility. Is it to do with the small options homes around the city run by Mike Walsh? There are so many of them. The new group home down on George Street, is this going to affect the staff members that work there? Is this going to affect the Taigh Gradhach people that work up there?

Taigh Gradhach is a small facility on the way to the Cape Breton Regional Hospital. Maybe someday when the minister is down there he can go into the Taigh Gradhach facility on the way to the regional hospital. It's a little building off to the side, that's for the most seriously mentally, intellectually challenged human beings that are lucky enough to survive on the planet Earth, that live in that facility. This bill will affect those people that work in there. They were CAW, now they're UNIFOR employees, but that little facility has probably 8 or 10 clients. I suggest you go into that Taigh Gradhach and have a look what's in there and speak to the workers that are in there that spend every night there and provide the nurses and the health care workers that work in that facility and the care they provide to our most vulnerable citizens in Nova Scotia.

When we look at that, I think the nurses have been trying to tell us the truth here. I think the nurses have been trying to tell us for years now, we're overworked, we're constantly working, when someone misses a shift, I don't have anybody to fill in, I can't take a break. Can you imagine working in a coronary care unit where your partner calls off

work sick and you have three heart attack cases that day and the coronary care unit is packed with people? Who is going to provide those services?

I think that's what the nurses are trying to tell us here in the Province of Nova Scotia. Or the nurses that work in the ICU when there's a car accident and they're short two people and they bring someone in that has to have a trach put in and they're trying to explain to the family - and induced in a coma in ICU. Can you imagine what those nurses see each and every day in those departments? You can imagine in the cancer care units, they are the front-line workers, they are the cogs of the wheel for health care in the Province of Nova Scotia.

This is a motion that provides us with an opportunity to set this bill aside for six months so we can actually have a look and say to ourselves, do we want this bill? How is this bill going to affect our health care system? How is it going to affect our Community Services? Is it going to affect Children's Aid? Are they going to be affected? Does this bill cover the workers of the Children's Aid Society of Cape Breton? Are they NSGEU members, are they CUPE members? I'm not quite sure but this Bill No. 37 covers such a wide . . .

Communication centres, I take it that's the 911 call centre. Emergency Health Services Act, I take it that's what that is, that's what that covers. Home support services - I don't know if that is different from the home care workers we saw here a week or so ago with Bill No. 30, I didn't know if that was in here again. Those people that are the front-line workers, this is what this piece of legislation affects them the most. By doing this hoist here this evening, we've stood in our places, we've had our say, we're trying to convince the government that this is a good motion.

Before I sit down I'd like to thank my colleagues that stood up here this evening for six and a half hours now and will continue to stand here today because this is a very important piece of legislation that I think needs further debate. I really look forward today to seeing the nurses, the health care people, the small options homes people, the children's services people - I hope they all show up for the Law Amendments Committee today. I look forward to listening to them in the Law Amendments Committee to tell me what the best option is for our health care system in the Province of Nova Scotia. They're the people that provide it.

It's a good thing that we in Nova Scotia have a Law Amendments Committee. It's the only committee in any province in this country that allows the public to come in and speak about a bill that's presented in the House of Assembly. I look forward today to listening to the people coming in today - whether it's the nurses, I think they'll be relatively quiet today, I don't think they'll be riled up, I think they have a point to make. I think it's important how they make their point and I think they have the opportunity to speak in Law Amendments Committee.

I think that each and every member in Law Amendments Committee, when that committee goes into effect, is that you should have 15 minutes. I think that every member, or every person who shows up at Law Amendments Committee today, should be given 15 minutes of their time, because this is such an important bill, this Bill No. 37. We saw the debate all through tonight, we saw the hoist motion. I think it's very, very important, Bill No. 37, that we listen to what these people have to say today. Can you imagine giving health care workers just 15 minutes of our time, as legislators. That's all we're asking today - 15 minutes of time. What is 15 minutes of time in a person's life? You'll never get time back, but to give those health care workers 15 minutes to say what they have to say so we can get a better view and a better option of what they're saying about this piece of legislation.

I respect democracy, I respect the hoist that happened here today, but I also look forward to going to Law Amendments Committee today and listening to what the health care workers of the Province of Nova Scotia have to say. Madam Speaker, thank you very much for your time.

MADAM SPEAKER: The vote is that the motion for second reading of Bill No. 37 be amended by deleting all the words after the word "that" and substituting the following:

"Therefore, Bill No. 37, an Act to Ensure the Provision of Essential Health and Community Services be not now read a second time but that it be read a second time this day six months hence."

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

A recorded vote has been called for.

Ring the bells. Call in the members.

[6:37 a.m.]

[The Division bells were rung.]

MADAM SPEAKER: Order, please. A recorded vote has been called for, the bells have been rung and the Whips are now satisfied.

I want to make a little note to ask everybody during the recorded vote to be quiet so that the Clerks can actually hear.

[The Clerk calls the roll.]

[7:37 a.m.]



**YEAS**

Mr. Corbett  
Ms. MacDonald  
Mr. David Wilson  
Mr. Gosse  
Ms. Peterson-Rafuse  
Mr. Belliveau

**NAYS**

Mr. Colwell  
Mr. Churchill  
Ms. Bernard  
Ms. Regan  
Mr. Samson  
Ms. Whalen  
Mr. Glavine  
Ms. Casey  
Mr. MacLellan  
Mr. Stroink  
Ms. Arab  
Mr. Delorey  
Mr. Ince  
Mr. Farrell  
Mr. Gordon Wilson  
Mr. Rankin  
Mr. Rowe  
Mr. Maguire  
Ms. Eyking  
Ms. Treen  
Mr. Gough  
Mr. Irving  
Mr. MacMaster  
Mr. Porter  
Mr. Dunn  
Mr. Baillie  
Mr. d'Entremont  
Mr. Orrell  
Ms. MacFarlane  
Mr. Houston  
Mr. Harrison  
Mr. Lohr

THE CLERK: For, 6. Against, 32.

MADAM SPEAKER: The motion is defeated.

The honourable Government House Leader.

HON. MICHEL SAMSON: Madam Speaker, I move that the question be now put.

**[PUBLIC BILLS FOR SECOND READING]**

MADAM SPEAKER: We will continue debate on Bill No. 37.

The honourable member for Hants West.

MR. CHUCK PORTER: Thank you very much, Madam Speaker. I'd like to say that I'm pleased to rise this morning. It has been a long night for some who have been here so I won't really say that I'm pleased. It has been an interesting night listening to some of the debate on Bill No. 37, an interesting bill, no question about that. It is unfortunate that we find ourselves here having to debate a bill like this that, as most of us know who have been paying any attention and anyone in the public who has been paying attention, for nearly two years now this debate has been going on as they have tried, through the intensive labour process, to negotiate a collective agreement at the table. Unfortunately, to date, that has not been successful.

We do know one thing for certain, that the nurses in this province are important, every day. I speak from experience when I say that, not only as a long-time health care provider myself, as an old paramedic, and my wife who I was going to say is an old nurse - perhaps "wife" and "old" in the same sentence are not appropriate so I should be careful there - but a former nurse who practised many years and a sister who still practises in Hants Community Hospital, and many others who we all know. There are family members and friends and relatives and so on, as I said, who work hard every day in this province, whether they are in hospital or home care or VON or whatever it might be, I don't know how we would ever do without them. We know that we can't; we do certainly know them to be essential.

I can tell you that from my experience in the many years working, and knowing, and getting to know a lot of the nurses and other health care professionals, that they run into some interesting times throughout their days and their shifts and their nights and whenever it might be, from being insulted to assaulted and so on and so forth. You just can't imagine what some of these people go through, both male and female. It's a tough job; there's no question.

Recently, probably in the last couple of months, a family member spent time at the QEII, having gone through a heart surgery and those steps not only prior to that, the care that you would receive through nursing staff, but following that in the ICU, one-on-one care that is given is exceptional, and the step-down unit, one nurse for every couple of patients. So we think about this and we hear about how patient ratio seems to be the sticking point, if you will, in this negotiation and we wonder what that really means because so far we have not really heard the number. Is it broken down per unit? That's what I can think about as a health care provider.

I've seen, in recent weeks, as I've said, the ICU remains the one-on-one, in the cardiac care, when you're coming out there and the step-down unit, so are we talking about when it gets down to more general care in the ward style? I spoke to my sister as late as last evening, after supper for a few minutes, before arriving here. I said where are we with all of this? She's in NSNU, working out of Capital Health but in Windsor at Hants Community, so you have this division but doing the exact same work - I mean let's be honest and just from her perspective. I said, well, what is this? She said if there's a sick call and it's not filled, obviously you may now be into seven or eight patients. It's just hard to say, depending on how short-staffed you might be.

When I ask her about, well, what do you do, how do you manage that? Well, somebody is upset because you are making mom a cup of tea for one patient, and there is somebody else who needs you to do this, and somebody who may need to go to the washroom, and all of the things nurses do all day long to look after those needs - preparing medications obviously being one that is very significant - and doing rounds and trying to get to everybody at the same time. It's a difficult task; there's no question.

So where is the patient care issue? Is it that they're under-staffed upon sick calls and vacations and absences as such, or is it that just typically the ratio doesn't work in some areas? I still really haven't had that answered, I don't think, and I haven't heard a lot of that talk throughout the negotiation. All I've heard is that the patient ratio isn't maybe what it should be. So there needs to be a very hard look at what those numbers actually are.

I realize that one of the things we've said all along as a caucus is that we're not prepared to hold this up. It's important that Nova Scotians are looked after and cared for, regardless in hospital or out. We've been through this bill not so long ago, a similar bill, when we talked about the CCAs who, strangely enough in some ways, did not deem themselves - when we heard them over in the Law Amendments Committee - to be essential services for some reason, although we had some great debate in here and felt they were very much essential and those families around Nova Scotia felt they were very essential when it came to their needs and being looked after.

This is not a whole lot different because these nurses are certainly essential, everything they do. I am sure they feel as though they are essential and they want to be treated fairly, and so they should be. It should not take two years to reach an agreement. It should not have to come to this point but, unfortunately, we are here going through this process. Some might call it a painful process, nobody wants to go through it, but we're here. We'll go through it, it will pass. We have a majority government; we know that this bill will pass at some point - not likely to be today as it is lined up, or maybe tomorrow or the following day, who knows. We'll see how that goes. There's a lot of debate to be had yet.

Most importantly, we are going to hear from a number of people, I'm sure. I don't know how many are on the list now, Mr. Speaker, to come in to the Law Amendments

Committee and offer their comments. I'm not sure how much time they're going to be given. I know in the last round of the Law Amendments Committee, with some controversy with the CCAs, they were limited to about five minutes apiece. I don't know if that will be the plan today or if we'll be hearing more. It's hard to say how many we'll have. I'm sure it will be quite a few.

We talked - even in Question Period when we started this debate some near eight hours ago, a number of questions were asked around contingencies and other staff being brought in from outlying hospitals, how that would affect patient care there or would it affect it. We heard there were contingency plans in place that should allow for that not to be really affected.

There are a lot of departments in each of those little hospitals - and I'll use my own area as an example, Hants Community Hospital in Windsor. I mentioned last night, or earlier this morning - whatever time it was - that there is a variety of services offered there. How will they be affected? I don't think there's really any guarantee how they will be affected. They've already been affected to some degree in Capital Health with regard to cancellations of surgeries and other procedures that may have to take place.

I know I can't stand here and read a whole lot of clause by clause of the bill, but I want to just touch on a couple of pieces here that, when we talk about essential services and the staffing levels that would be put into place, or I guess deemed to be essential and guaranteed to be in place, there's no number of staff that's really associated with the clauses in this bill. It talks about identifying certain classifications - so let's just say that we'll use RNs in this case, although this is a very broad bill that affects many different pieces of the health care industry. Let's just say that it's the RNs, and if we read this correctly - and it could be interpreted wrong, I guess, I'm not a lawyer, I certainly am open to clarity around this - but identifying the classifications of employees and the number of employees in each classification who are required at any one time to perform essential health community services during a lockout or strike.

Well, that's going to be determined. Is that where we are today? Is the minimum number where we are today? If that's the case, then how many people are actually off on strike, what percentage of that is there?

It would seem to me that right now there appears to be some shortages, because that is an issue on the table. The nurse-patient ratio is not as strong as it should be or could be or what's being asked for at the very least. Does that mean this bill says there are no changes? I'm not sure. It goes on to talk about a course, it designates what each represents - the board, the bargaining unit, the bargaining agent and so on and it deciphers out here what essential health or community services agreement means. It talks about essential health - it ". . . means a health or community service, duty or function that is necessary to enable an employer to prevent or limit (i) loss of life, (ii) serious harm or damage to or deterioration of the mental or physical health of one or more persons," and on it goes.

It talks about all of these things. Those are all significant pieces that happen every single day in our hospitals and health care system, whether it be the paramedics on the street who are out there doing exactly that or whether it be the nurses in the hospital who are also doing just that, looking after families, looking after sick people. I think it's not really clear what "essential" does mean when you look at it in certain ways. There are many ways it could be interpreted and obviously some are not happy with that, and others say we would see significant changes.

At this point we have to think about Nova Scotians and their safety and what it means to say those words. It's easy to say them but it is a serious concern that we certainly have in this caucus and we've talked about it and we'll talk about it throughout the coming days and weeks, I'm sure - God knows how long - months, years, of the importance. This has been talked about before when it comes to emergency services in health care. We talked about it with paramedics a year ago in this very place, last summer when they were legislated back to work.

It is obvious that not all are happy with those decisions when we have to come here and make those decisions and see that people are essentially put back in place and represented and that patient care remains number one - the safety of all Nova Scotians remains number one. Having said that, having talked to a number of nurses and hospital workers and health care workers over the last number of weeks, more specifically recently, about this bill and what it might mean, or a strike and what that might mean - none of them want to go on strike. They will tell you we don't want to be in this position. They know that is not a good position to be in. They're in the business of providing health care and nursing and that care of patients because they love what they do and, as a rule, they are good at it; they are very good at it and anyone who has ever been sick or had a family member sick at home or in hospital or an emergency situation have seen and witnessed that themselves.

We should all be very proud of what we have in this province when it comes to our emergency health care workers, our front-line health care workers, in hospital, out of hospital. We have the best, second to none. We need to think about that long and hard as we decide what way we will be voting when we finally get to that point on this bill.

I'm sure we will hear from many, many people; I'm sure the stories will be very similar. It's always interesting to get to a point where it doesn't seem like the financial piece or the money piece - and maybe it all relates back to that in some way, but in this case it's about patient care. We seem to have resolved the financial issues along the way through negotiations, so how very disheartening it is. Usually when you get to a strike position it's about money. You're talking about raises and percentages over the years and how many years. Maybe we should be focused on long-term contracts.

If you look at other emergency services like police and fire, as an example, in this province, I think the last HRM police contract was 15 years with proper increments and percentages each year being built in. Is anyone talking about that at the table? Are there

other options being made? There are a lot of places to go with this, but one of the sticking points here is, how many nurses, what is the requirement? Again, I would say I don't know, I haven't heard that it's 4 to 1 on a floor or it's a certain number. I'm looking forward to the Committee on Law Amendments to sort of delve into that more, to see if the issues are broken down, are better defined. It needs to give us some more information to talk about and to discuss and debate in here and to make a decision, the right decision, as to where we should go with this. I'm not sure.

There are 2,300 nurses, and now we've wrapped into this bill quite a few different things. This now has thousands of people - I'm just looking for the page here that outlines each and every group, Mr. Speaker. I won't take a lot of time on that. Again, I realize I cannot reference the bill in detail and I've no wish to do so. It takes in a number of different health care organizations.

There are a lot of questions on why would we do that? Well, I guess it lumps everybody into one bill and we don't have to worry about coming back and doing it again at some point for each and every individual group. We know that the NSNU will come up again; we know that we'll be back. This is two years old already. This will no more than be settled and we'll be back in negotiations in a year or two time, depending on the length of this contract. I'm sure that's not what anybody wants either. I know the nurses don't want to be right back at it again; I'm certain they don't. In talking to my family members who work in health care and others and friends, they don't want to constantly be in this position. They want to be doing their jobs that they do well.

I guess as we continue debate, and we've heard a lot already in the last nearly eight hours as we've started this, on why we should do this or why we should do that. We heard about the hoist motion that was put forward for six months. We just saw the results of that vote. I don't know why we would move this out six more months. I'm a bit confused with that whole attempt, but I guess if there were some assurances that there wouldn't be any more strikes and there was going back to the table, and it made sense, and there was some opportunity that there was strong support on either side where six months might have mattered, or three months or whatever the time frame might have been where something could have been reached, but we've been down that road for two years. In recent weeks we've been down that road for days and days in a row - as late as yesterday, right up until somewhere near seven o'clock, I think, last evening, before this thing finally broke off, which again is unfortunate.

I'm not going to take a lot of time, Mr. Speaker, as much has already been said, and we'll speak again as we move forward into Committee of the Whole House on Bills and third reading. There will be opportunities once we have learned more about what we're really talking about, in detail. We don't want to see this - although we believe there are flaws in the bill. We will admit that. We believe it requires a very good, healthy debate on where we should be going now and into the future. Not holding it up, however, is something we also believe in in this caucus, because we believe in standing up and

supporting the health and well-being of all Nova Scotians, especially those who are sick and in hospital. We also know that none of those staff want to be off the job. They want to be working. They want this resolved. I think the sooner we can do that in a fair way, in a fair manner is best.

We had great hopes that this would have been resolved through the collective bargaining process, which we do believe in very much. We look forward to this going over the Law Amendments Committee, Mr. Speaker, and listening to all the - I am sure it will be mostly health care workers who will come in, and union representation, and maybe other Nova Scotians, everyday Nova Scotians will come in and offer their thoughts, those who have been patients, those who have been looked after in places like cardiac cath and more serious hospital wards, not only the more serious but all of them. We would welcome anyone coming in. After all, this is the people's House. We will take the time that is needed. We will get through that process. And we look forward to coming back after the Law Amendments Committee. With those few words, I will take my seat.

MR. SPEAKER: If recognize the minister it will be to close debate.

The honourable Minister of Labour and Advanced Education.

HON. KELLY REGAN: Thank you, Mr. Speaker, and I thank the members for their comments. I move to close debate on second reading of Bill No. 37.

MR. SPEAKER: The motion is for second reading of Bill No. 37.

A recorded vote has been called for.

Are the Whips satisfied?

Ring the bells for one hour. We will resume at 9:00 a.m.

[8:05 a.m.]

[The Division bells were rung.]

MR. SPEAKER: Order, please. We'll now proceed with the recorded vote on the previous question. The Whips are satisfied as the bells have rung for the entire hour.

[The Clerk calls the roll.]

[9:00 a.m.]

**YEAS**

Mr. Colwell  
Mr. Churchill  
Ms. Bernard  
Ms. Regan  
Mr. Samson  
Ms. Whalen  
Mr. Glavine  
Ms. Casey  
Mr. MacLellan  
Mr. Hines  
Mr. Stroink  
Ms. Arab  
Mr. Delorey  
Mr. Ince  
Mr. Farrell  
Mr. Gordon Wilson  
Mr. Rankin  
Ms. Miller  
Mr. Rowe  
Mr. Maguire  
Ms. Eyking  
Ms. Lohnes-Croft  
Ms. Treen  
Mr. Gough  
Mr. Jessome  
Mr. Irving  
Mr. MacMaster  
Mr. Porter  
Mr. Dunn  
Mr. Baillie  
Mr. d'Entremont  
Mr. Orrell  
Ms. MacFarlane  
Mr. Houston  
Mr. MacLeod  
Mr. Harrison  
Mr. Lohr

**NAYS**

Mr. Corbett  
Ms. MacDonald  
Mr. David Wilson  
Mr. Gosse  
Ms. Peterson-Rafuse  
Mr. Belliveau

THE CLERK: For, 37. Against, 6.

MR. SPEAKER: The motion is carried.



We'll now proceed with the vote on second reading of Bill No. 37, an Act to Ensure the Provision of Essential Health and Community Services.

There has been a request for a recorded vote.

MR. SPEAKER: Are the Whips satisfied? We'll now proceed with the recorded vote.

[The Clerk calls the roll.]

[9:03 a.m.]

**YEAS**

Mr. Colwell  
Mr. Churchill  
Ms. Bernard  
Ms. Regan  
Ms. Samson  
Ms. Whalen  
Mr. Glavine  
Ms. Casey  
Mr. MacLellan  
Mr. Hines  
Mr. Stroink  
Ms. Arab  
Mr. Delorey  
Mr. Ince  
Mr. Farrell  
Mr. Gordon Wilson  
Mr. Rankin  
Ms. Miller  
Mr. Rowe  
Mr. Maguire  
Ms. Eyking  
Ms. Lohnes-Croft  
Ms. Treen  
Mr. Gough  
Mr. Jessome  
Mr. Irving  
Mr. MacMaster  
Mr. Porter  
Mr. Dunn  
Mr. Baillie

**NAYS**

Mr. Corbett  
Ms. MacDonald  
Mr. David Wilson  
Mr. Gosse  
Ms. Peterson-Rafuse  
Mr. Belliveau

Mr. d'Entremont  
Mr. Orrell  
Ms. MacFarlane  
Mr. Houston  
Mr. MacLeod  
Mr. Harrison  
Mr. Lohr

THE CLERK: For, 37. Against, 6.

MR. SPEAKER: The motion is carried.

Ordered that this bill be referred to the Committee on Law Amendments.

The honourable Government House Leader.

HON. MICHEL SAMSON: Mr. Speaker, as indicated earlier, it is the government's priority to have the passage of Bill No. 37 take place. As a result of that, I would move that, since the bill is being referred to the Committee on Law Amendments, that the House do recess and meet again at 6:00 p.m. in order to provide an update on the progress of this legislation.

MR. SPEAKER: The motion is to recess until 6:00 p.m. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The House is recessed until 6:00 p.m. today.

[9:06 a.m. The House recessed.]

[6:01 p.m. The House reconvened.]

MADAM SPEAKER: The honourable Government House Leader.

HON. MICHEL SAMSON: Thank you very much, Madam Speaker. As indicated earlier, we would provide an update on progress at 6:00 p.m. I can advise that the Law Amendments Committee continues to meet and to hear presentations and still has a number of requests for presentations to take place.

Madam Speaker, as has been clearly reported today, there was an illegal job action which took place here in the Capital District Health Authority which did require a work stoppage order from the Department of Labour and Advanced Education. As indicated

previously, our government sees this as a priority for the safety of Nova Scotians, in order to have this legislation passed.

As a result of that, Madam Speaker, at this point in time, as I indicated, we'll continue to have Law Amendments Committee meet and I would move that the House recess until 11:00 p.m. this evening, at which time we will provide an update as to what the current situation will be at that point in time. Merci.

MADAM SPEAKER: The motion is that the House recess until 11:00 p.m.

Is it agreed?

It is agreed.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

We will recess until 11:00 p.m.

[6:03 p.m. The House recessed.]

[11:02 p.m. The House reconvened.]

MR. SPEAKER: The honourable Government House Leader.

HON. MICHEL SAMSON: Mr. Speaker, I appreciate the patience of all members. I would move that the House recess until 11:30 p.m., at which time we will set the hours for tomorrow and also get the Opposition business from the House Leader of the Official Opposition.

MR. SPEAKER: The motion is to recess until 11:30 p.m. Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The House now stands recessed until 11:30 p.m.

[11:03 p.m. The House recessed.]

[11:34 p.m. The House reconvened.]

MR. SPEAKER: Order, please.

The honourable Government House Leader.

HON. MICHEL SAMSON: Thank you very much Mr. Speaker, after a very exciting night of debate at the Law Amendments Committee process I move that the House do now rise - that ends the government business for today I guess is what I should have started with. We will meet tomorrow from the hours of 2:00 p.m. until 11:59 p.m.

From the hours of 2:00 p.m. to 6:00 p.m., we will have the regular Opposition Day and I would ask that the House Leader for the Official Opposition advise the House as to what their business will be tomorrow.

MR. SPEAKER: The honourable House Leader for the Official Opposition.

HON. CHRISTOPHER D'ENTREMONT: Mr. Speaker, after the daily routine and Oral Questions Put By Members, we will be calling Bill No. 36, Economic Growth Goals Act, and Bill No. 38, Balanced Budget Act. Of course, depending on what is going on tomorrow we can make some adjustments as needed. Thank you.

Mr. Speaker, I move that we rise until 2:00 p.m. tomorrow afternoon.

MR. SPEAKER: The motion is to adjourn until 2:00 p.m. tomorrow until 11:59 p.m.

Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

The House now stands adjourned.

[The House rose at 11:36 p.m.]