



Third Session, 38th Parliament

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REPORT OF PROCEEDINGS  
(HANSARD)

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SELECT STANDING COMMITTEE ON

PARLIAMENTARY REFORM,  
ETHICAL CONDUCT,  
STANDING ORDERS AND  
PRIVATE BILLS

Victoria

Tuesday, May 8, 2007

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AL HORNING, MLA, CHAIR

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**SELECT STANDING COMMITTEE ON  
PARLIAMENTARY REFORM, ETHICAL CONDUCT,  
STANDING ORDERS AND PRIVATE BILLS**

Victoria  
Tuesday, May 8, 2007

*Chair:* \* Al Horning (Kelowna-Lake Country L)

*Deputy Chair:* \* Diane Thorne (Coquitlam-Maillardville NDP)

*Members:* Harry Bloy (Burquitlam L)  
\* Randy Hawes (Maple Ridge-Mission L)  
\* Dave S. Hayer (Surrey-Tynehead L)  
\* Lorne Mayencourt (Vancouver-Burrard L)  
\* Valerie Roddick (Delta South L)  
Adrian Dix (Vancouver-Kingsway NDP)  
\* Mike Farnworth (Port Coquitlam-Burke Mountain NDP)  
\* John Horgan (Malahat-Juan de Fuca NDP)

*\* denotes member present*

*Clerk:* Ian Izard

*Other MLAs:* Ron Cantelon (Nanaimo-Parksville L)  
Scott Fraser (Alberni-Qualicum NDP)

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*Witnesses:* Doreen McKimmon (Mission Foundation)  
Gordon Taylor (Mission Foundation)  
Bonita Thompson (Pacific Coast University for Workplace Health Sciences)  
Wolfgang Zimmermann (Pacific Coast University for Workplace Health Sciences)



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MINUTES

# SELECT STANDING COMMITTEE ON PARLIAMENTARY REFORM, ETHICAL CONDUCT, STANDING ORDERS AND PRIVATE BILLS



Meeting: 10:07 a.m., Tuesday, May 8, 2007

Location: Birch Committee Room, Parliament Buildings, Victoria, B.C.

Present: A. Horning, M. Farnworth, R. Hawes, D. Hayer, J. Horgan, L. Mayencourt, V. Roddick and D. Thorne.

Appearing: Pacific Coast University                      Mission Foundation  
Bonita Thompson, Q.C. (Agent)                      Gordon Taylor (Agent)  
Wolfgang Zimmermann                                  Doreen McKimmon

Business: Convening and Private Bills Pr 401 and Pr 402

- (1) Resolved, on the motion of Mr. *Hawes*, seconded by Mr. *Hayer*, that Mr. *Horning* be appointed Chair of the Committee.
- (2) Resolved, on the motion of Mr. *Hawes*, seconded by Ms. *Roddick*, that Ms. *Thorne* be appointed Deputy Chair of the Committee.
- (3) Resolved, on the motion of Mr. *Hawes*, seconded by Ms. *Thorne*, that the Committee recommend to the House that Bill (Pr 401) intituled *Pacific Coast University for Workplace Health Sciences Act* proceed to second reading.
- (4) Resolved, on the motion of Mr. *Hayer*, seconded by Ms. *Thorne*, that the Committee recommend to the House that Bill (Pr 402) intituled *Mission Foundation Amendment Act, 2007* proceed to second reading.

The meeting adjourned.

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**Al Horning, MLA**  
Chair

**Ian Izard**  
Clerk Assistant and  
Law Clerk



TUESDAY, MAY 8, 2007

The committee met at 10:07 a.m.

### Election of Chair and Deputy Chair

**A. Horning:** The first thing on the agenda is that we have to have an election of the Chair, and we have to do a vice-Chair.

**R. Hawes:** I move Al Horning be elected as Chair.

**A. Horning:** Any others? Three times.

Motion approved.

[A. Horning in the chair.]

**R. Hawes:** I'll move Diane Thorne for vice-Chair.

**A. Horning (Chair):** All those in favour?

Motion approved.

**D. Thorne (Deputy Chair):** I'm the only one here — right? That's what they mean by default.

**A. Horning (Chair):** I'll tell you the good part about it after — okay?

**D. Thorne (Deputy Chair):** There's no good part of taking on extra work over here, I can tell you. I used to be the Deputy Whip.

**A. Horning (Chair):** Now I'll ask the Law Clerk to give his report.

**I. Izard (Clerk Assistant and Law Clerk):** We have two bills before us. Both the applicants have complied with the standing orders with respect to advertising and filing of their documents.

### Pacific Coast University for Workplace Health Sciences Act (Bill Pr401)

**I. Izard (Law Clerk):** The first one is Pacific Coast University for Workplace Health Sciences Act. Bonita Thompson, QC, is appearing on behalf of the university, with Wolfgang Zimmermann as a witness. We'll lead off with that one.

**A. Horning (Chair):** Wolfgang, you're the witness, and you're his agent. Whoever wants to start can go right ahead.

**B. Thompson:** I'll proceed, then. Just to introduce very briefly, I am here as the agent on behalf of the proponents for this private bill. The proponents are the National Institute of Disability Management and Research, and the executive director of that organization is Mr.

Wolfgang Zimmermann, who will be speaking. The other proponents are Mr. Mike Rushby, vice-president of human resources of Weyerhaeuser Canada, and Mr. Brian Payne, president of the Communications, Energy and Paperworkers Union of Canada.

The request is for this private bill to proceed to second reading. If I might speak a little bit to the purpose of the bill, the purpose of the bill really is to establish a private university, a special-purpose private university. This, if I might suggest it to you, is the culmination of a 20-year period establishing a foundation for the provision of specialized training and research and development into the needs of people with disabilities, focusing on techniques to prevent these injuries and also the development of education and training and certification of individuals who are able to manage these disabilities. Mr. Zimmermann will talk to you about that part of the issue.

[1010]

The university status. The purpose of the bill is the provision of a university to provide this specialized training and education at the academic level, and particularly to facilitate research at an international level in a collaborative way among universities around the world. The bill itself, just speaking from a legal point of view, is structured very similarly to that of a public university, but it is unique insofar as it emphasizes the special purposes of this particular university. The board of governors and the academic council all have membership from the labour organizations and management, as well as the more traditional elements of the academic and officialdom of a university. So it has a unique blend that is different from a public university.

It also has a structure which you will not find in other public universities, and that is an international research advisory committee which consists of recognized leaders in these fields who come together and will advise the university on the kinds of programs and research that will facilitate this as a globally recognized university.

The university to be established, then, comes with a solid foundation — which Wolfgang will talk to you about — in terms of finances, commitment, the existing student structure that it has and a very impressive set of relationships globally with organizations that are already using much of the materials and the information developed by this group of people through the National Institute of Disability Management and Research.

The establishment of a university is very important for this organization, because it will facilitate the collaborative arrangements that it has with these other universities around the world and with whom it is already working. More importantly, it will also facilitate the funding that is required to continue this work and to go forward.

In terms of the legal environment which is being proposed for this private bill, there is a society that has been established, at the request of the Ministry of Advanced Education, that worked closely with us on the later development of the language of this draft bill. The Pacific Coast Education Society for Workplace Health Sciences has been established and was created specifically, and incorporated on April 20, to serve as the basis which will then become this private university.

That will provide a vehicle for regulation of this organization through the Society Act. It will be recognized and regulated there. It is also subject to the Degree Authorization Act so that any degrees which would be granted by this university would have to be fully vetted by the Ministry of Advanced Education's programs for establishing these degrees.

Finally, and perhaps most uniquely — I believe this is not the case for any other private university that's been established recently — the ministry has requested that the Private Career Training Institutions Act apply to this university where it is offering career training. Now, that act currently says that a university established under an act is not subject to the Private Career Training Institutions Act. But at the request of the Ministry of Advanced Education, the proponents agreed that in order to provide some assurance that those students who are attending this university will be protected if they are taking career training offered by that act, this private university will be subject to the provisions of that act.

In terms of scrutiny of the bill — because, of course, a private bill is developed and moved and brought forward separately — the Ministry of Advanced Education worked very closely with us on addressing any issues, advancing any concerns. We were able to work with them on that and to make any amendments they suggested. We also took advice. They were able to provide advice that was very helpful to us in terms of the structure of the organization.

We worked with legislative counsel. We understand that the bill was also reviewed by the Ministry of Finance, most particularly with respect to the provisions that deal with taxation. Any changes that were suggested have been incorporated.

I think that's the structure of the act. There's nothing particularly unique about it in relation to other acts except for that one particular amendment that I noted for you. I'd like to at this point — with your permission, Mr. Chairman — ask Mr. Zimmermann to explain a little bit of the context, not legal but the social context in which this would work.

**W. Zimmermann:** Before I speak a little about the opportunity, I certainly want to take this opportunity to thank Ron Cantelon and Scott Fraser for their tremendous support, the bipartisan nature of this.

[1015]

I think, as we all know, that disability is a great equality opportunity. I myself got hurt in an industrial accident 30 years ago, when a tree broke my back. I had the great fortune at that time that I was working for MacMillan Bloedel. With the support of the company and the union, I was able to get back into the workforce, make an ongoing contribution to our society and still actually work for both the institute and Weyerhaeuser.

We see that building on the long history that Bonita mentioned, we have a tremendous opportunity here for our province and also for our country and internationally. We've been involved, and the institute got created in the late 1980s as a partnership between large companies

and unions, which established the basis for the national institute. We were successful in raising a multimillion-dollar endowment, which provides the financial basis for the institute, and in 1993 started and created an educational program which teaches companies how to maintain individuals who have acquired a disability from one cause or another.

Over the last 13 years we have spent about \$3½ million on the development of our curriculum. I'm pleased to say that as of Friday a week ago, when we transferred our educational program to the government of New Zealand, our curriculum has now been licensed in nine countries. This university would start out with a partnership network of universities in those nine countries. Those countries are Germany, the United Kingdom, Ireland, Austria, Switzerland, Australia, New Zealand and Singapore. In the case of the U.K., there are five universities that are offering our educational program; in Germany, three; the National University of Singapore.

This entire endeavour of looking at a unique institution that can advance our knowledge, education and research in the whole field of health and safety, disability management and rehabilitation is supported through UN conventions, which is, I guess, where we see a real difference relative to other educational endeavours in this area. In December the United Nations passed the UN convention on the rights of persons with disabilities. Canada was one of the countries that signed the convention on March 30 — one of 81 countries. There are 650 million people with disabilities in this world. The convention was approved unanimously.

Last June we saw the approval of an International Labour Organization — a suborganization of the UN — convention on occupational health and safety, because two million workers get killed on the job around the world every year. I mean, we've seen the tragedies here. Unfortunately, Canada is the worst on a per-capita basis in the western industrialized world in industrial fatalities. In 2005 we had over a thousand people get killed on the job.

We have an ILO code of practice that governs and creates best practices on how to deal with and manage disabilities in the workplace. So we feel that through this specialized university, which is focused on health and safety, disability management and rehabilitation, and through our ability to further knowledge in education and research, we can have a tremendous opportunity. Building on the basis we already have created and building on the network of universities we are currently working with to advance our knowledge in these fields will not only reduce the cost of disability on employers and individuals but ultimately will create a better future.

When we see what's happening in this province.... I have the privilege and the opportunity to be a part of Minister Richmond's Council on Employment for Persons with Disabilities, where we are trying to improve employment outcomes. Minister Richmond, Minister Coell as well as Minister Coleman have been very supportive of this initiative, but we are seeing that it is a struggle in this province.

[1020]

We have an overall unemployment rate of four percent, which is really tremendous, yet 56 percent of people with disabilities, even those with significant levels of education, are not in the workforce. When we had 160 people that last year in this province lost their lives as a result of an industrial accident.... Our rate is five times that of countries like Germany. So we see we have tremendous opportunities for leadership, for increased knowledge development and absolutely for increased research that will have an impact on these statistics.

In that context, we certainly appreciate the tremendous support of the government, but also of both sides of the House that have taken it this far — and of you.

**A. Horning (Chair):** Thank you very much.

**D. Hayer:** Thank you very much. It's a very good concept and a good proposal. My question is: in Canada, will this be the only place where there will be this type of university? Also, if there are any problems and students have to go to some other university, can they transfer to any public university, or do they have to go to another part of the world where this type of university offers courses — in case, for some reason, there are some challenges at university later on?

**W. Zimmermann:** In terms of this type of a university, nothing like it exists. What we saw as a real opportunity is that, with these international instruments having been approved by the United Nations, ultimately other countries will move forward in this area. At this point there is nothing like it anywhere in the world. There are individual degree programs in some of these areas, but nothing in terms of this type of a focus.

With respect to transfer, that is something, as Bonita mentioned, where we will be working through the regular channels in terms of the Degree Quality Assessment Board to get those degrees approved, and then apply through the Canadian system of academic credentialing to ensure that students going through the program have portability to other universities, as with any other public university.

**V. Roddick:** If somebody like yourself had been through an accident, and you were having ongoing physical therapy and all that sort of thing, is that going to be married into this university so that they can actually attend school and be rehabilitated at the same time? Or do they have to go through all their rehabilitation first, and then go to university?

**W. Zimmermann:** The ideal part of a whole return-to-work strategy in terms of disability management is that you go back to the workforce and that those individuals don't end up losing their attachment to the workforce.

I can use myself as an example. I went back to work less than six months after my accident, even though I was still in a wheelchair. I continued with therapy for a whole year. What has to happen is that individuals cannot lose the attachment to the workforce. They need to be able to stay on the job.

The entire focus of what we are trying to do is to teach employers on what you have to do with individuals

so you have qualified professionals. In some cases you will have individuals that will go through therapy at the same time as they're going back to work.

**V. Roddick:** Okay. I just wanted to make sure that that was part and parcel....

**W. Zimmermann:** Absolutely. This will deal with the whole.... What we're trying to create, building on the basis that we have, is better solutions to the whole challenge of the whole lifelong workplace health cycle that we are all too familiar with.

**A. Horning (Chair):** Any other questions? If not....

**R. Hawes:** I move that the preamble to Bill Pr401, intituled Pacific Coast University for Workplace Health Sciences Act, has been proved and the committee recommends to the House that the bill proceed to second reading.

**A. Horning (Chair):** You've all heard the motion. Those in favour, say aye.

**L. Mayencourt:** I have some questions about the bill, and I did raise my hand before the question was called. Can we please go back and have a look at it?

**A. Horning (Chair):** What are the wishes?

**D. Thorne (Deputy Chair):** Sure.

**A. Horning (Chair):** Okay.

**L. Mayencourt:** Under section 4(3), just a quick question. It references a definition of career training in the Private Career Training Institutions Act. What does that say? What does this actually do?

[1025]

**B. Thompson:** If I can speak to that. Career training is defined in that act not so much in the act itself as in the regulations to the act. Any occupation that is identified in the regulations, which are created by a federal organization, is a career that is referenced to in that act. Plus, it has to be training that is offered that costs in excess of \$1,000 and is for equal to or more than 40 hours of training.

Once you have training in that occupation, plus reach that threshold, then you would be offering career training, to which that act applies and would require registration. At the present time it's not likely that the university, with the programs it's offering now, would be caught under that. But if at some point it offered that kind of training, that act would apply to that training.

**L. Mayencourt:** Okay, but it does not currently.

**B. Thompson:** I don't believe it does, no.

**L. Mayencourt:** So it serves to protect the investment an individual might make in taking that course...

**B. Thompson:** That's right.

**L. Mayencourt:** ...and it would provide for refunds in the event that the....

**B. Thompson:** Yes. There is a system of providing funding or security for the students who are taking those kinds of programs. It's not really designed, as I understand it, for university academic programs. But because, I understand, there is some concern about individuals who might be coming to take this kind of training, the proposed university agreed that: "Yes, fine, if that kind of security would be helpful for those students we would agree to that." But at the present time it's not likely that that act would apply, because there wouldn't be any career training as it's described in that act that would follow through.

**L. Mayencourt:** Okay. My understanding under the Private Career Training Institutions Act is that the reason we have that definition of career training and the protection that is offered is because the private institution could wind up its affairs.

**B. Thompson:** That may be so. I can't tell you the policy reason behind it, not being a member of the ministry, and I can't advise you on that. My understanding is that the program offered by that act is to provide some financial security for students who are taking those programs that the act applies to.

**L. Mayencourt:** Okay.

**B. Thompson:** It is a requirement, I think, that they actually deposit money with the registrar of that program, so the funds are there.

**L. Mayencourt:** Okay. The reason I'm asking that, Chair, is that I think that the private institution portion of this.... I don't know why it would be included under this particular kind of a university, because this really follows the University Act.

I don't know what the answer to the question is, but that's an outstanding question for me. I don't know who answers that, but are we contemplating that this organization here could wind up in the same way that a private career institution would?

**A. Horning (Chair):** I don't have an answer. I don't know....

**R. Hawes:** I believe this is a private institution. This is not a public university. It is not funded directly by the government. This is not a public university. This is a private university much like the previously.... A year or so ago we established the World Trade University, which is a private university, but it is administered under the University Act like this one is.

**L. Mayencourt:** That helps. I thought this was a public university that was not.... Okay. Thanks.

**A. Horning (Chair):** Any other questions?

Motion approved.

**Mission Foundation  
Amendment Act, 2007  
(Bill Pr402)**

**I. Izard (Law Clerk):** The second bill we have is the Mission Foundation Amendment Act. Mr. Gordon Taylor is here as agent and Doreen McKimmon on behalf of the foundation.

[1030]

**A. Horning (Chair):** Let's take a moment here to get everybody in place.

Okay, we'll start. Gordon, you're the agent. Doreen McKimmon is the witness. The floor is yours.

**G. Taylor:** Thank you, Mr. Chairman and members of the committee. I'm the agent on behalf of the Mission Foundation. I'm also a former director of the Mission Foundation and a former chairman. I have the pleasure to have Doreen McKimmon with me today, who is the current vice-chair and who lives in sunny downtown Nicomen Island, B.C.

The Mission Foundation was established by a private act of the Legislature 20 years ago this year, in 1987. Among other focuses in the community, the Mission Foundation makes awards for scholarships and bursaries, although that isn't the only thing the Mission Foundation does. This year it gave awards of \$92,600 for scholarships and bursaries in the Mission area. Of course, that is simply the interest or dividend income from its investments.

I had the pleasure, back in the year 2000, of appearing before a similar committee to assist in taking steps to make substantive amendments to the act at that time. The amendment being proposed today is a very simple, yet, we think, important one. We wish to have the name changed from Mission Foundation, which it has had for the last 20 years, to Mission Community Foundation.

It is felt by the board of the foundation and the members of the community surrounding the municipality of Mission that a change to the name would be a more inclusive title, making it easier to attract funds for the foundation and also making it clearer that the foundation caters to the community and includes the surrounding areas — including, for example, the smaller communities which are not a part of the district of Mission incorporated municipality.

I'm going to ask Doreen to make any additional comments, but it's a very simple amendment.

**D. McKimmon:** Mission Community Foundation would reflect who we are and what we do. The Mission Foundation meets the criteria to belong to — and we do belong to — Community Foundations of Canada. We want to be associated with and collaborate and grow with this national organization. That is probably the main reason why we want to change our name.

We also are confused sometimes with cement manufacturers for Mission foundation. That's happened quite

a few times, so that is one of the reasons we would like to change. Also, it has to encompass the whole community.

Being on Nicomen Island, I don't live in Mission. I'm not a part of Mission, even though I grew up there. A lot of people from our area benefit from the foundation, and they also give to the foundation, so it just makes sense for us to do it.

**A. Horning (Chair):** Okay, any questions of the committee?

**R. Hawes:** Just as a clarification for Mr. Horgan, the surrounding area would not take in Malahat-Juan de Fuca — just in case you were wondering.

**J. Horgan:** That's fine.

**I. Izard (Law Clerk):** That's okay. He knows Victoria takes care of that.

**A. Horning (Chair):** If not, a motion is ordered.

**D. Hayer:** Yeah, I have it. I'll move that the preamble to Bill Pr402, intituled Mission Foundation Amendment Act, 2007, has been proved, and the committee recommends to the House that the bill proceed to second reading.

Motion approved.

The committee adjourned at 10:35 a.m.



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